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# CIVIL WAR HISTORY



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# Civil War History

PUBLISHED QUARTERLY BY THE  
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Editor

CLYDE C. WALTON

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CIVIL WAR HISTORY

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## A Note to Our Readers

This announcement is to advise you of an approaching change in the editorship of *Civil War History*.

*Civil War History* began publication at the State University of Iowa in March, 1955. The idea for the magazine and the energy to make that idea a reality came from Clyde C. Walton, at that time head of Special Collections here at the State University of Iowa Libraries. Mr. Walton persuaded the University administration of the need for such a publication, and also induced the University to provide the necessary financial backing to establish the quarterly. As editor, Mr. Walton demonstrated that the new publication could indeed serve well this particular period and area of American history, and under his direction the magazine was soon on a footing that insured its long continuance.

In the summer of 1956 Mr. Walton left the University to assume the position of State Historian of Illinois and Executive Director of the Illinois State Historical Society. In spite of his new and heavy duties in Springfield, he very kindly consented to continue as editor of *Civil War History*. The business management of the magazine has been handled by Ruth E. Stout, here in Iowa City.

The State University of Iowa administration has felt for some time that it has been rather unfair to Mr. Walton to ask him to continue to carry the editorial burden of *Civil War History* in addition to his regular duties. In planning the current University budget, support was included for a position which will combine the duties of editor and business manager of *Civil War History*. After a canvass of qualified candidates, Mr. James I. Robertson, Jr., was chosen for the position. Mr. Robertson is known to you as editor of the bibliographic section of *Civil War History*, "The Continuing War," and also for his writings in the field.

Mr. Walton will serve as editor until September 1, delivering the copy for the December issue to the printer on that date. Mr. Robertson will assume his duties as editor and business manager on September 1, so that the first issue under his editorial responsibility will be that of March, 1960. Upon his retirement as editor, Mr. Walton will become a member of the Editorial Advisory Board.

There is really no way in which the University can adequately express to Mr. Walton its appreciation for his five years' service to *Civil War History*. Had it not been for his work for and devotion to the magazine it would not have been begun, nor so capably continued for these first five volumes. The University wants to express to Mr. Walton its warmest thanks for his unselfish and extremely capable services.

*Author-historian Allan Nevins retired recently from the Columbia University faculty and is now on the staff of the Henry E. Huntington Library, San Marino, California. In November, 1957, he organized and directed a conference on the Civil War as a feature of the 125th anniversary of Gettysburg College. This lecture was one of six presented to the large popular audiences which attended the the conference.*

## A Major Result Of the Civil War

ALLAN NEVINS

THOMAS CARLYLE SHRANK IN HORROR from our Civil War. The fact that multitudes of Americans should take to butchering one another seemed to him an indictment of our democracy; the issue of the Negroes' status struck him as far from justifying such a holocaust of lives and property. His remark that the war was a fire in a dirty chimney, and his little fable called "Ilias Americana in Nuce" deeply offended the North.

Among the Northern soldiers who gave their lives were two gallant young men, Robert Gould Shaw and Charles Russell Lowell, who had warmly admired Carlyle. Shaw, leader of Massachusetts colored troops, died in trying to capture Fort Wagner; Lowell, who had married Shaw's sister Josephine, was slain at Cedar Creek. Both were graduates of Harvard. Three years after the war short biographies of them, and of ninety-five others who had been killed, appeared in the *Harvard Memorial Biographies*, edited by Thomas Wentworth Higginson. Thereupon Charles Lowell's young widow, Mrs. Josephine Shaw Lowell, sent the volumes to Carlyle, with a note describing their admiration of him, and a request that he read their lives, and reconsider his views on the war. Carlyle replied, in a letter here published for the first time:

CHELSEA—10 March, 1870

DEAR MADAM

I rec'd your gentle, kind and beautiful message, and in obedience to so touching a command, soft to me as sunlight or moonlight, but imperative as few old be, I have read those lives you marked for me; with several of the others and intend to read the whole before I finish. Many thanks to you for

these Volumes and that note. It would need a heart much harder than mine not to recognize the high and noble spirit that dwelt in these young men, their heroic readiness, complete devotedness, their patience, diligence, shining valour & virtue in the cause they saw to be the highest—while alas any difference I may feel on that latter point, only deepens to me the sorrowful and noble tragedy [that] each of their brief lives is. You may believe me, Madam, I would strew flowers on their graves along with you, and piously bid them rest in Hope. It is not doubtful to me that they also have added their mite to what is the eternal cause of God and man; or that, in circuitous but sure ways, all men, Black & White, will infallibly get their profit out of the same.

With many thanks & regards, dear Madam, I remain

Yrs sincerely T. CARLYLE.

They "added their mite" to the "eternal cause of God and man." So Francis Parkman had earlier written Mrs. Robert Gould Shaw, saying that he envied her husband his death, so eloquent of the highest consecration.

Many of the gains and losses of any great war are intangible and in-computable. No one can say whether the gain to society of the work two such rare spirits as Robert Gould Shaw and Charles R. Lowell would have done, had they lived, was greater than the gain from the heroic example they set. Other gains and losses, some material, some moral, can partly be appraised. But in looking at the effects of the war, it is safe to lay down two generalizations at the outset: The tremendous magnitude of the change it wrought was not anticipated in its early phases, and the nature of the change was not and could not be accurately analyzed when it closed in 1865.

To be sure, some of its consequences *were* foreseen. Shrewd men perceived in 1861 that if the war was protracted and ended in Northern victory, it would strengthen not only the Union and the federal government, but the spirit of national unity. They perceived that it would result in the destruction of slavery. John Quincy Adams, indeed, had predicted a generation earlier that if civil conflict began, the government would use its war powers to extinguish slavery. Shrewd men also foresaw in 1861 that a long civil war, and the arming of the United States, would profoundly alter the world position of the republic and augment its authority in world affairs. Other changes were anticipated, and men did not hesitate to predict that their total effect would be revolutionary. In fact, as early as the autumn of 1861 the *New York Herald* prophesied (November 24) just this in a column editorial headed "The Great Rebellion: A Great Revolution." The war, said the *Herald*, was not only a great revolution in itself, but was causing many minor revolutions. It went on:

All sorts of old foggy ideas, manners, and customs have gone under, and all sorts of new ideas, modes, and practises have risen to the surface and become

popular. We begin to discover, and we shall find it truer by and by, that a revolution is sometimes a very good thing, and that our changes have been for the better. We have had a revolution in commerce, but it has diminished our imports and increased our exports. . . . We have had a revolution in business, but it has resulted in the smashing up of rotten old firms, in a healthier vitality in those which remain, and in greater prudence, economy, and industry all round. Our manufactories have been revolutionized, but the war and its necessities keep them busy now. . . . Our manner of living has been changed, but there is now less sham and more comfort than formerly. . . . Everything the war touches is revolutionized.

Verily, in its effects the Civil War did constitute a revolution. In politics, for example, the old domination of the government by an alliance of agrarian interests of the South and West was overturned by a new alliance of the industrial East and grain-growing Northwest. But some of the predictions of change which men made most confidently in 1861 were utterly erroneous, while the most important single change flowing from the war was not grasped at the time, and is not fully comprehended even today.

To understand the effects of the conflict we must venture certain generalizations—very broad generalizations. The first is that the results of a victorious war lie in the main in the positive sphere, those of defeat in the negative sphere. Success arouses a spirit of confidence, optimism, and enterprise not seen in a defeated society. For evidence of this assertion we may point to the exuberant spirit of Elizabethan England after the defeat of the Great Armada; the exuberant and even arrogant spirit of Germany after the Franco-Prussian War. The effects of the Civil War were positive in the North, negative in the embittered and depressed South. The second broad generalization is this: that no effect of war, no matter how marked it may appear to be for a time, will last if it runs counter to a long-continued and deeply felt national tradition. The third generalization is the converse of the second: That effect is greatest which harmonizes with and carries forward some tendency in national life already partly developed and growing, though it may still lie beneath the surface. For example, the Revolution, in the currents it set flowing, chimed with the belief of Americans that they had a plastic society which they could and should change to fit their ideals, with their confidence that they alone knew the secret of true liberty, and with their conviction that they were the predestined teachers of this liberty to the whole of mankind. The strength which the victorious Revolution gave these exuberant beliefs raised in America a galaxy of great statesmen, and truly made the United States of Washington, Adams, Hamilton, Jefferson, and Madison an example to the entire world.

One false prediction of 1861 illustrates the second of our generalizations. A favorite assertion was that the United States would become

militarized. "Whether this war shall be long or short," said the *Springfield Republican* of June 4, 1861, "it is evident that hereafter we shall be a more military people." Some even prophesied that militarism would infect our politics, "Mexicanizing them" as the phrase then went—introducing the military dictator. Such ideas proved absurd. Our huge armies in 1865 melted almost overnight into civil life; military expenditures sank almost to zero, and the standing army to only 25,000 men; and the one President, Grant, who was elected primarily because of his military exploits became an object of strong public condemnation. Why did we not become militarized? Partly because no *continuing* peril existed. Wavers of the bloody shirt after the war sometimes tried to conjure up a continued peril from rebel brigadiers, but sensible men laughed at them. In the second place, and more importantly, militarization went completely against the long national tradition—indeed, against an Anglo-American tradition of five centuries; the same tradition which discarded all militarist tendencies after the first world war, and effected rapid disarmament just after the second.

What was the most important effect of the Civil War upon the character of the American people and the texture of society? Nobody would venture to say; but certainly one of the most important effects was, in an essentially inadequate phrase, the conversion of an unorganized nation into an organized nation, with an irresistible impetus toward greater and greater organization.

The United States in 1860 stood in almost as primitive a state of organization, socially and economically, as China in 1940. It was an agricultural country with a long historic belief in individualism; far more attached to the principle of self-reliance than to that of association. The shrewd French observer, Auguste Laugel, who wrote a book on the United States during the war, correctly stated, "There is a horror of all trammels, system, and uniformity." The population still lived close to the soil. Of the 8,200,000 whose occupations were noted by the census of 1860, 3,300,000 were farmers, planters, farm laborers, or stockmen, while as many more were indirectly connected with agriculture.

A few facts are significant of the lack of organization: The country as yet had no standard time—Boston, New York, Philadelphia, and Washington each had its own time. It had no accepted gauge for railroads; the eight or more gauges ranged from three to six feet. The postal system was so wretched that in New York in 1856, ten million letters were delivered privately in contrast to one million carried by the government. In 1860 the American population slightly exceeded that of Great Britain; but that year Americans posted 184 million letters, while Great Britain posted 564 million. It had no national labor union worthy of the name; the typographers, iron molders, and hat-makers possessed unions, but they were shadowy bodies which did little more than meet and pass



resolutions. The panic of 1857, indeed, had paralyzed the infant movement toward labor organization. It had few other organizations. Not one state bar association had been formed. Only two American cities in 1865 had paid fire departments. In all of New England in 1860 there were only three hospitals; in the entire South, four or five. The American Medical Association was twelve years old, but when the hour struck to establish medical and surgical services for the war, it was so feeble that nobody thought of using it. Three trunk-line railways had been established, for the Pennsylvania, the New York Central, and the Baltimore & Ohio could be termed interstate railroads. But ninety-five per cent of such manufacturing as existed was on a local basis and managed in small units. In fact, state laws of the time generally forbade corporations to hold property outside their own states except by special charter. Most business firms were managed as family affairs. Another significant detail is that in a country where whole libraries now groan with books on business organization and management, down to 1860 not one book—not one pamphlet—had been published on these subjects.

Modern organization, apart from politics, education, and religion, is built mainly on the machine, which is effective only with and through it. A mechanized country is of necessity an organized country; a land without machines is unorganized. Great Britain in 1860, with approximately the same population as the United States, was much better equipped with machine industry, and in consequence far better organized. With us, the industrial revolution was hardly beyond its beginnings. The partially mechanized area extending from Boston to Philadelphia was learning what organization meant, but learning slowly.

In just one broad field can the nation be said to have developed a considerable degree of organization before 1860: the field of westward expansion. Since the main fact in American life was the movement of population toward the setting sun, the major energies of the nation were channeled into its promotion. The building of highways, canals, steamboats, and railroads to carry people west; the manufacture of plows, axes, drills, and harvesters to maintain them there; the production of arms to help them deal with Indians and wild beasts; the extension of churches, schools, and post offices to keep them linked with the older communities—all this was fairly well organized. Yet westward expansion was itself to some extent a disorganizing process, spreading civilization thin and straining the bonds of society.

This sprawling, inchoate country, much of it a veritable jellyfish, suddenly had to pull itself together; raise armies which (for the North alone) numbered 2,300,000 individuals before the war ended; clothe, arm, transport, and feed them; hospitalize many of them; obtain more than four billion dollars in taxes and loans; and, in short, make an effort

then almost unprecedented in human history. To describe this effort in administrative outline would require a volume. To translate it into statistical tables would rob it of meaning. To suggest its scope, complexity, and impact, we can perhaps best deal with it in terms of a single individual—Montgomery C. Meigs, one of the key figures of the momentous change, for as quartermaster general he had charge of the spending of one and one-half billion dollars, half of the direct cost of the war to the North.

In any just view of the Civil War record, Quartermaster General Meigs ought to stand in relief as a central personage. He had charge of the spending of a vast amount of money, which he directed into channels that largely remade America. But what are the facts? In James Ford Rhodes's history of the war, so generally well proportioned and broad of view, Meigs is thrice just barely mentioned. Not once is he characterized or appraised. Though his last two reports are praised, his work is never described. In Carl Russell Fish's book on the war, again large minded and well planned, Meigs is given one line of praise, and his initials are misstated. In James G. Randall's admirable *Civil War and Reconstruction*, Meigs is mentioned once in a footnote, and once in a dry list of civil officers. McMaster and Channing do not mention him at all.

To say that Meigs was quartermaster general is to say little, for few people have any idea of that functionary's duties. To say that he, with the chief of ordnance and commissary general, divided the entire work of equipping the two million Union soldiers for camp and field, drill and battle, is to do little better. Of the three, Meigs bore by far the heaviest responsibility. His duties included the procurement and distribution of uniforms, tents, horses, harness, wagons, ambulances, shoes, blankets, knapsacks, forage and a vast miscellany of other articles. His authority covered three-quarters of Northern industry. The Northern government in July 1861, issued a call for 500,000 men. These men wore out shoes in two months and uniforms in four. They therefore needed 3,000,000 pairs of shoes and 1,500,000 uniforms a year. They needed mountains of arms, a hundred miles of wagons, great base hospitals, and an incredible amount of miscellaneous supplies.

The national government, be it remembered, had no War Production Board, no Priorities and Allocations Board, no possibility of any of the great administrative agencies developed in the two world wars; it had no basis for them. It had no organized partnership with industry, with labor, with agriculture, or with transportation, for they were all unorganized. Meigs had to create organization where none existed. In shaping government contract policy, he shaped much of the future economy of the United States. What share of contracts should go to small manufacturers, what to large? How much should go to New England, and how much to



the West? What part of the arms contracts, with dire necessity pressing the government, should go to slow American makers, and what part to Europeans who could make quick deliveries? Meigs rose magnificently to the initial crisis of supplying the hundreds of thousands who rushed to the colors in 1861. He wrote just after Bull Run:

The nation is in extremity. Troops, thousands, wait for clothes to take the field. Regiments have been ordered here [to Washington] without clothes. Men go on guard in drawers for want of pantaloons. The necessity is far greater than I imagined when I saw you. I had no idea of this destitution, this want of preparation of this [War] Department, when I took charge of it. . . . The plan of general supply should go on and as soon as possible be brought into operation and furnish the great stock [needed]. We must bear the clamor of fools who would pick flaws in a pin while the country hangs in the balance [July 24, 1861].

It was Meigs who set new standards for American shoe manufacture, finished early in the war almost wholly by hand, and hence in small lots, but before the end of the war by machinery in carload lots. Uniforms were lifted to the same quantity plane. It was Meigs who insisted that the army abandon for field use the large Adams and Sibley tents, which had to be transported by wagon, and use the little shelter tent portable on a soldier's back. It was Meigs who adapted French mess equipment for American use. He decided that the Northern armies were heavily over-wagoned, and helped reshape their transport equipment. He read lectures to McClellan and other generals on the cruel and wasteful destruction of horses by undisciplined troops. He built temporary barracks; he even bought coal for army steamers. He had command of Grant's supply base at Fredericksburg and Belle Plain in 1864; and he took personal charge of the refitting of Sherman's worn army at Savannah in January, 1865.

By the close of 1862 the North had more than 1000 regiments, full or incomplete; each had its regimental quartermaster, who was required to send a monthly report to Washington with accounts; thus 12,000 accounts a year had to be settled.

Meigs's reward for all this is casual mention in James Ford Rhodes, a misspelling of his name by Carl Russell Fish, and almost total silence by other historians. So far as this neglect means the overlooking merely of one talented and devoted individual, it is of no great importance. But it is very important indeed as a symptom of the neglect of one key aspect of the war, its organizational side. Meigs was one of the organizers not merely of the war effort but of the modern America about to emerge, for he helped stimulate industry, systematize its efforts, and bring it into efficient operation for victory and for larger services after victory. His labors helped change the American character.

For the formless, protoplasmic United States of 1861 emerged from

the war in 1865 at least half-organized and clearly conscious of the paths it would take forward. Under the forcing blast provided by government contracts, protective tariffs, and inflation a thousand businesses trebled or quadrupled in size. Government offices swelled to what would previously have seemed incredible proportions. A national banking system was created. More trunk-line railroads began to take form. Truly national industries, reaching out for national as distinguished from local markets, appeared in flour milling, meat packing, clothing and shoe manufacture, and the making of machinery. Sir Morton Peto, coming to the United States in 1865 and finding the nation in the happy throes of a great boom, was struck with the evidences that not only capital but organizing ability was being invested in business as never before. The colonel of every regiment had learned a great deal about organization; and Peto walked into large industrial offices to hear the manager pointing out executives with the words, "That man was a colonel—the one at that desk yonder a major." The one fault he discerned was that they were all eager for too quick results.

Of great significance in this growth of organization was the instruction which Americans had received in the principles of capital formation and in the use of credit. While the national banking system was being organized, the government was floating its large bond issues. Jay Cooke, when the normal market was exhausted, undertook selling them in every street and hamlet. His canvassers sought far and wide for buyers; never before had so many men purchased securities. The greenbacks, the national bank notes based on bonds, and the ready extension of bank credit gave a powerful impetus to the industrial revolution and helped change the whole outlook of Americans.

The acceleration of investment and industrial expansion lasted until 1873, producing a remarkable array of new business captains, and accustoming the people to broader and bolder concepts of affairs. Not hitherto a nation, as Langel said, of "joiners," they had learned much from association in regiment and armies, in Union League Clubs and relief societies. They began to develop a spirit of voluntary combination which within a few years ran the gamut from the trusts and the grange to the GAR. By 1885 one of the most powerful organizers of modern times, John D. Rockefeller, was able to make his momentous pronouncement, "The age of individualism has gone, never to return."

This effort to organize the energies of the nation harmonized with a tendency in national life already partly formed in 1860 and, underneath the surface of affairs, vigorously growing; a tendency necessitated by the increase of population and other basic factors, and simply given extraordinary impetus by the war. Through this effort, as it was carried on after the war, ran a vibrant self-confidence: the exuberance of vic-

tory, the pride of a record of service. S. Weir Mitchell, the doctor-novelist, for example, strikes this note of elation when, after recalling how the physicians had built great wartime hospitals, admirably equipped, without the help of architects, he describes what the conflict did for his calling:

Among the many permanent marks which the great war left upon the life of the nation . . . none were more deep and more alterative than those with which it stamped the profession of medicine. In all other lands medicine had places of trust and even power, in some way related with government; but with us . . . [the] physician . . . lived unnoted by the great public, and for all the larger uses he should have had for the commonwealth quite unemployed. The war changed the relations of the profession to the state and to the national life, and hardly less remarkably altered its standards of what it should and must demand of itself in the future. Our great struggle found it, as a calling, with little of the national regard. It found it more or less humble, with reason enough to be so. It left it with a pride justified by conduct which blazoned its scutcheon with endless sacrifice and great intellectual achievements, as well as with professional conscience educated by the patient performance of every . . . duty which the . . . calls of a hard-pressed country could make upon its mental and moral life.

Tens of thousands of Union veterans came back from the hard lessons of war with this self-confidence born of success, and this pride born of duty done. Tens of thousands of civilians who had built machine shops, run arms factories, filled contracts for shovels, canned foods, and blankets, or managed recruiting, income tax collection, or home relief, felt the same combination of experience, confidence, and pride. Men thought in larger terms. The day of small affairs began to pass; the family firm gave way to the joint stock corporation; visions of great undertakings became common. Improvisation yielded to hardheaded planning and individualism to disciplined action. In the eight years before the postwar boom spent itself, the continent was spanned by the rails of the Union Pacific; Carnegie and Abram S. Hewitt respectively founded the Bessemer and open-hearth steel industries; the first big industrial pools were formed; two specially chaotic businesses, oil and tobacco, were taken in hand by Rockefeller and Duke. Labor organized the National Union; farmers organized the National Grange. Research and invention began to be organized.

Of all the changes effected by the war, this replacement of an amorphous, spineless society by a national life organized for efficient action—organized first to win the conflict, and after that for peace—was one of the greatest. The first two years of the Civil War might be called "the improvised war"; the second two years, "the organized war." The transition from one to the other was a transition from the old America to the new. It was accompanied with a corresponding alteration in the national psychology. Men's ideas were thrown into new patterns. Americans

still detested regimentation; but they had learned the power—the necessity—of voluntary combination for definite objects, leaving themselves perfectly free in all other relations.

This emergence of a society organized on national lines reinforced the political nationalism generated by the conflict. It was a war for the nation as a unit; for centripetal as opposed to centrifugal impulses. We are all aware of the strength of state attachments in the prewar South. Robert E. Lee and Joseph E. Johnston, for example, fought with the Confederacy not because they approved of slavery, or endorsed secession, but because they loved Virginia. An intransigent State Rights spirit gravely crippled the Southern effort. But while we all know this, few comprehend the strength of state and regional feeling in the prewar North. General John Pope gravely proposed, early in the conflict, that all Illinois troops be used in a separate Illinois army, to be kept intact under Illinois commanders, and some Indiana officers made the same proposal for Indiana troops. The early distrust of Lincoln by such Easterners as Charles Francis Adams was founded on sectional feeling. What good leadership could come out of the raw West? Our literature before the war was not truly national; in sentiment as in the geographic distribution of authors and publishers, it was a literature of New England and New York.

Out of the furnace heat of war, in the North, came a true national passion. It would be erroneous to say that the East learned that the Westerner Grant was the Union's greatest soldier, and wept for the Westerner Lincoln as the West wept. In great degree, men simply ceased to think of themselves as Vermonters or Ohioans, Easterners or Westerners; they were Americans, and Grant and Lincoln were American leaders. I do not find the great Northern upsurge of excitement and patriotic fervor just after Fort Sumter impressive; it reflected too much cheap, frothy excitement and too little earnest, thoughtful planning. But it was at least an upsurge of national feeling, which grew stronger as the conflict went on. The long succession of disasters did as much for Northern unity as final Northern victory. It is obvious that the new spirit of nationalism profoundly reinforced the new spirit of organization.

From the world point of view, also, the replacement of a formless, amoebic America by a nation sturdily pursuing the path of organized growth was one of the most important results of the war. As we know, the abolition of slavery and the triumph of the North were telling blows for the cause of liberalism throughout the world. They constituted a vindication of democracy. The Englishman A. V. Dicey, talking with an emigrant Irishwoman in the States during the war, heard her say, "This is a blessed country, sir. I think God made it for the poor." No

longer could conservative Europe respond to such statements with the jeer, "What about your slaves?" Lincoln in his Gettysburg Address placed the war in its world setting as a war to keep the hope of government of, by, and for the people alive for all mankind. John Bright, in the most famous of his many wartime defenses of America, put the conflict in the same setting. Old world privilege, he said, had a great stake in the defeat and frustration of the American democracy:

And every morning, with blatant voice, it comes into your streets and curses the American republic. Privilege has beheld and efflicting [*sic*] spectacle for many years past. It has beheld thirty millions of men, happy and prosperous, without emperor, without king, without the surroundings of a court, without nobles, except such as are made by eminence in intellect and virtue, without State bishops and State priests . . . without great armies and great navies, without great debts and great taxes. Privilege has shuddered at what might happen to old Europe if the great experiment should succeed.

Bright had been sure, even while the war was most doubtful, that the Union would succeed. He did not believe that disunion and slavery could triumph. "I have another and a far brighter vision before my gaze," he said. "I see one vast confederation, stretching from the frozen North in unbroken line to the glowing South, and from the wild billows of the Atlantic westward to the calmer waters of the Pacific main—and I see one people, and one language, and one law, and one faith, and over all that wide continent, the home of freedom, and a refuge for the oppressed of every race and of every clime."

It is impossible to deny the value to the world of the vindication of American democracy embodied in the Emancipation Proclamation and the restoration of the Union on a foundation at last built for the ages. No one would underestimate the importance of these results in contributing to the advance of British democracy shortly registered in the second Reform Act [1867], to the unification of Italy and Germany, and to the stimulation of democratic currents in France, where such haters of Napoleon III as Laboulaye had been staunch wartime defenders of the Northern cause. The victorious emergence of the nation from its trial seemed a victory for world liberalism—for the ideas of Bright and Cobden, Mazzini and Gambetta. The belief of Americans that the Civil War had given the republic that "new birth of freedom" of which Lincoln had spoken, and that America had greater lessons of liberty than ever to teach other lands, was expressed with emphasis by the most idealistic voices in our midst—by Whittier in his poem on the first autumn of peace, for example, and by Lowell in his ode for the Fourth of July, 1876, and by Emerson in his address on "The Fortunes of the Republic" in 1878, the last address he made.

Nevertheless, without underrating this impetus to liberalism, we can



say that in the long run the greatest consequence of the war for the globe was the replacement of the awkward, unformed, immature nation of 1860 by the confident, purposeful, systematized nation of 1870. What had been gristle, in Burke's phrase, became bone. Once economic and social organization had gained momentum, it achieved new goals every year. We might instance a thousand men, trained in the war, who carried the change forward. One son of the Union, Francis A. Walker, would be as good an example as any. He began his career learning lessons of organization as a private in the Second Corps of the Army of the Potomac; he continued it by organizing a Federal Bureau of Statistics and a Census Bureau which became models for other lands; and he ended it by organizing at the Massachusetts Institute of Technology, of which he was the true maker, a system for training engineers admired and imitated both abroad and at home. The United States strode forward, applying greater and greater system to its natural wealth, until by 1900 it was the most powerful and in many ways the best-organized industrial nation in the world.

Its great rival was Germany, which had been given a similar access of energy and self-confidence by the War of 1870, and which with its compact population and sharp economic necessities displayed an even greater bent toward organization. The two came into collision in 1917—the great exemplar of military and autocratic organization, and the great exemplar of peaceful and democratic organization. Well it was that the United States had received an impulse toward disciplining and systematizing its energies as early as it did. While the first world war was still raging, the genius of technology gave birth on American soil to a great new world force—mass production, a new method of applying half a dozen components—system, speed, precision, continuous motion, uniformity, economy—to the quantity manufacture of complex engines of wealth and war. Only a highly organized nation could have brought forth this revolutionary implement called mass production, which has done so much to revolutionize the modern world, and only a nation armed with it could have won World War II.

As the United States became an organized nation, much that was ugly crept into American life. Insofar as discipline is antithetical to individual freedom, it is unpleasant, even repellent. Organization undeniably raised the standards of welfare in our society, enabling more people decade by decade to live in greater comfort and well-being. At the same time, however, it increased the strain of materialism in the United States, making people all too intent upon mere wealth and comfort. Our civilization seemed coarser, greedier, and more aggressive, than in the quiet pre-war days. The country that men had died for in the 1860's seemed hardly worth the sacrifice in the 1870's and 1880's. But this was a temporary

phase, which by the last decade of the century was being forgotten as new currents of radicalism and idealism made themselves felt. The nation needed the iron strength forged in the war for the great tasks that lay ahead of it. It needed the lessons of organization and association it had learned if it was to play a powerful part in world affairs, and improve its national life at home. Walt Whitman struck the right note when he called upon it to forget the errors of the past and face the challenge of the future. He wrote:

The Four Years War is over, and in the peaceful, strong, exciting, fresh occasions of today, and of the future, that strange sad war is hurrying even now to be forgotten. The camp, the drill, the lines of sentries, the persons, the hospitals (ah, the hospitals)—all have passed away, all seem now like a dream. A new race, a young and lusty generation, already sweeps in with oceanic currents, obliterating the war, and all its scars, its mounded graves, all its reminiscences of hatred, conflict, death. So let it be obliterated. I say the life of the present and the future makes undeniable demands upon us each and all, south, north, east, west. To help put the United States hand in hand, in one unbroken circle in a chant—to rouse them to the unprecedented grandeur of the part they are to play, and are even now playing—to the thought of their great future, and the attitude conformed to it—especially their great aesthetic, moral, and scientific future.

Even in the generation after the war, however, many remembered its truer lessons. No inconsiderable body of veterans could say what Captain Oliver Wendell Holmes, Jr.—the wounded captain whom the Autocrat of the Breakfast Table sought on the field of Antietam—said: "In our youth our hearts were touched with fire. It was given us to learn at the outset that life is a profound and passionate thing. While we are permitted to scorn nothing but indifference, and do not undervalue the worldly rewards of ambition, we have seen with our own eyes, above and beyond the gold fields, the snowy heights of honor, and it is for us to bear the report to those who come after us."

We come after, and we can hear the report; by taking it to heart our generation can redress the balance a little. Let us not cease to regard the war as proof of a breakdown of American statesmanship, and let us conceal nothing of its cruel, ignoble side. But we should make the most of its inspirations. Charles Eliot Norton said that on the whole he thought the character of Lincoln the greatest single gain of the nation from the war. Lincoln's ability to awaken the North to the moral issues bound up in the conflict; his conviction that the struggle must be fought through for the sake of man's vast future; his patience in adversity; his fortitude in defeat, his magnanimity in victory, can never be staled or lost. Beside him stands Lee; not Lee the warrior, but Lee the man—the Christian gentleman who lived a life of stainless purity, whose innate modesty never failed him, who like Grant was free from any trace of

vainglory, whose consecration to duty never flagged—who, in a word, set an unsurpassable example of character. Behind these figures we have the humble soldiers from South and North alike who fought on one red field after another with unyielding courage, always ready to give up their young lives for what they deemed threatened principle and imperiled liberty.

A freshened remembrance of these inspiring elements can contribute an idealism counteractive of the materialism that accompanied the necessary work of national organization. It will justify for all the dead the statement that Carlyle made of Charles Lowell and Robert Gould Shaw, that they added each his "mite to the eternal cause of God and man."





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# Some Aspects of California's Military Problems During the Civil War

LEO P. KIBBY

## INTRODUCTION

AT THE BEGINNING OF THE CIVIL WAR the Military Department of the Pacific, with headquarters in San Francisco, embraced "all the States and Territories west of the Rocky Mountains" and between Canada and Mexico.<sup>1</sup> Brigadier General Albert Sidney Johnston, a southerner believed to have sympathies for the Confederate cause, was in command.<sup>2</sup> On April 25, 1861, exactly twelve days after the firing had ceased at Fort Sumter, he was relieved of command, and Brigadier General Edwin V. Sumner<sup>3</sup> was appointed to take his place. Only the day before, the first reports of the Fort Sumter incident had been published in a San Fran-

<sup>1</sup> General George Wright to "Loyal Citizens of the Pacific Coast," June 21, 1864, *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington: Government Printing Office, 1880-1901), Ser. I, Vol. 50, pt. 2, p. 873; hereinafter cited as O.R., followed by the series number in Roman numerals, the volume number in Arabic, the part number (if any), and the page, as O.R., I, 50, pt. 2, p. 873.

<sup>2</sup> Richard H. Orton, comp., *Records of California Men in the War of the Rebellion, 1861 to 1867* (Sacramento: State Office, 1890), p. 6.

<sup>3</sup> Sumner's Orders No. 5, April 25, 1861, in O.R., I, 50, pt. 1, p. 469, and in Orton, *op. cit.*, p. 6.

cisco newspaper.<sup>4</sup> On April 28 General Sumner announced he had found his new command to be in good order.<sup>5</sup>

Actually, General Johnston had tendered his resignation on April 9, after learning that Texas had seceded from the Union,<sup>6</sup> but he had continued to fulfill his responsibilities as commander of the department until relieved by General Sumner.<sup>7</sup> Later Johnston accepted a commission in the Confederate Army and was killed early in the war while in command at the Battle of Shiloh.<sup>8</sup>

General Sumner headed the Department of the Pacific until October 20, 1861, when the command devolved upon Colonel, later Brigadier General, George Wright,<sup>9</sup> who held the position for the greater portion of the war, finally being relieved on July 1, 1864, by Major General Irwin McDowell.<sup>10</sup>

California was never called upon to furnish troops for immediate service against Confederate soldiers, nor was any quota assigned to the state. However, "regiments and battalions, aggregating over 16,000 men were enlisted."<sup>11</sup> In addition, 500 men became a part of the quota for Massachusetts, and about the same number, representing eight companies, were raised for Washington Territory. The only California men to participate in the great battles of the war were those who had enlisted for Massachusetts; the others took part primarily in engagements with Indians over an extensive area of western states and territories, and in skirmishes with small numbers of Confederate troops in Texas and Mexico.<sup>12</sup>

The first call for California troops, issued by Secretary of War Simon Cameron in July, 1861, was for men to guard "the overland mail route from Carson Valley to Salt Lake and Fort Laramie,"<sup>13</sup> and on August 12 Governor John G. Downey issued the order for volunteers.<sup>14</sup> Again, on August 14, the War Department requested Governor Downey to organize, equip, and muster into service as soon as possible four regiments of infantry and one of cavalry.<sup>15</sup> On August 23, Governor Downey's procla-

<sup>4</sup> *San Francisco Daily Evening Bulletin*, April 24, 1861.

<sup>5</sup> Sumner to Townsend, April 28, 1861, in *O.R.*, I, 50, pt. 1, pp. 471-72, and in Orton, *op. cit.*, p. 6.

<sup>6</sup> Captain George F. Price, quoted in Orton, *op. cit.*, p. 7.

<sup>7</sup> Sumner to Townsend, April 28, 1861, in *O.R.*, I, 50, pt. 1, pp. 471-72, and in Orton, *op. cit.*, p. 6.

<sup>8</sup> The Battle of Shiloh was fought in western Tennessee on April 6 and 7, 1862.

<sup>9</sup> General Orders No. 28, October 20, 1861, *O.R.*, I, 50, pt. 1, p. 666.

<sup>10</sup> General Orders No. 31, July 1, 1864, *O.R.*, I, 50, pt. 2, p. 886.

<sup>11</sup> Orton, *op. cit.*, p. 5.

<sup>12</sup> *Ibid.*

<sup>13</sup> Cameron to the Governor of California, July 24, 1861, in *O.R.*, I, 50, pt. 1, p. 543, and in Orton, *op. cit.*, p. 12.

<sup>14</sup> Proclamation of Governor Downey, August 12, 1861, Orton, *op. cit.*, pp. 12-13.

<sup>15</sup> Cameron to Downey, August 14, 1861, in *O.R.*, I, 50, pt. 1, p. 569, and in Orton, *op. cit.*, p. 12.

mation authorized citizens of California to organize "volunteer companies" in fulfillment of the August 14 call.<sup>16</sup> By November 15 General Wright was able to report the strength of California regiments: The First Infantry was nearly full; the Second would be filled by the end of November; the Third had four companies complete and detached, and the remaining six would soon be filled; the Fifth Infantry, with ten companies, was near Sacramento, but no detachments had as yet been made. Recruiting was progressing favorably, and it was expected that all regiments would be filled by the end of the year.<sup>17</sup> By November 21 California troops were occupying a vast extent of the country extending from Yuma, in southern California, to Colville in the north, a distance of about 2000 miles.<sup>18</sup>

#### DISLOYALTY IN CALIFORNIA

Upon assuming command of the Department of the Pacific, General Sumner became aware of the many dangers confronting California from the Confederacy. As early as March 26, 1861, a correspondent for the *San Francisco Evening Bulletin* had reported from New York that there had been many rumors in the North about an alleged conspiracy to drag the Pacific states into the secession movement. Moreover, California's ex-Senator William M. Gwin, and Joseph E. Lane, Oregon's ex-Senator and candidate for Vice-President in 1860 on the ticket with John C. Breckinridge, were identified among those on their way to San Francisco to precipitate the matter.<sup>19</sup> Immediately, General Sumner reinforced the forts in the harbor at San Francisco in order to secure government property.<sup>20</sup> Though he felt that a majority of people in California were unionists, he was also aware of the existence of a strong secessionist minority that might seek to draw California into the secession movement.<sup>21</sup> Typical of newspaper support for the Union was an editorial in a San Francisco paper commenting on the outbreak of war: "California has not seceded—*will not secede*. Against any attempt to force her out of the Union, we are willing and ready to lay down our lives. That is our position."<sup>22</sup> The secessionist minority element was particularly strong in Los Angeles; Sumner therefore withdrew troops

<sup>16</sup> Proclamation of Governor Downey, August 23, 1861, *ibid.*, p. 13.

<sup>17</sup> Wright to Thomas, November 15, 1861, in *O.R.*, I, 50, pt. 1, pp. 723-24, and in Orton, *op. cit.*, p. 34.

<sup>18</sup> Wright to Thomas, November 21, 1861, in *O.R.*, I, 50, pt. 1, p. 732, and in Orton, *op. cit.*, p. 36.

<sup>19</sup> *San Francisco Daily Evening Bulletin*, April 16, 1861.

<sup>20</sup> Alcatraz Island, Fort Point, and Benicia.

<sup>21</sup> Sumner to Townsend, April 28, 1861, in *O.R.*, I, 50, pt. 1, pp. 471-72, and in Orton, *op. cit.*, p. 6. See also: B. F. Gilbert, "The Confederate Minority in California," *California Historical Society*, XX (June, 1941), 154-70.

<sup>22</sup> *San Francisco Daily Evening Bulletin*, April 25, 1861.

from Fort Mojave<sup>23</sup> and Fort Tejon<sup>24</sup> and assigned them to that area. Complicating matters still further was the situation in Lower California. Thomas Sprague, the United States commercial agent at La Paz, Lower California, Mexico, reported that that region contained many insurgents—native-born, Mexican, and French—who favored joining the secessionists.<sup>25</sup>

By June 10 Sumner was able to report that he had checked the secessionists in the southern part of the state but that now they were trying to organize in Nevada Territory. He had anticipated the difficulty, however, and had withdrawn a large portion of the force stationed in Oregon and had reassigned it to California and Nevada Territory. The difficulty in the territory he attributed to the lack of an organized civil government—a situation that he recommended be corrected immediately.<sup>26</sup>

In August, 1861, Sumner was ordered to take 5000 troops on an expedition into Texas.<sup>27</sup> Though he professed a willingness to proceed with the assignment, he also felt duty bound to report that the secessionists in California were growing bolder and that it had been necessary for him to take strong measures to repress any attempt on their part to thwart the government.<sup>28</sup> Moreover, businessmen in San Francisco were deeply concerned since the troops were to be raised in California and sent out of the state, thus weakening Union strength further. Two days before Sumner reported his concern over the secession party, an appeal,<sup>29</sup> signed by sixty-five businessmen and firms of San Francisco, had been sent to the Secretary of War requesting that the order be rescinded and the troops left in California. Some of their arguments for canceling the expedition were set forth in the appeal: A majority of the present state officers were undisguised and avowed secessionists; the Governor's appointments for the past three months had identified him as being in sympathy with those who sought to sever California from her allegiance

<sup>23</sup> Sumner to Townsend, April 30, 1861, in *O.R.*, I, 50, pt. 1, p. 474, and in Orton, *op. cit.*, p. 16.

<sup>24</sup> Sumner to Townsend, May 10, 1861, in *O.R.*, I, 50, pt. 1, p. 481, and in Orton, *op. cit.*, p. 16.

<sup>25</sup> Sprague to Seward, May 3, 1861, in *O.R.*, I, 50, pt. 1, p. 475, and in Orton, *op. cit.*, pp. 16-17.

<sup>26</sup> Sumner to Thomas, June 10, 1861, in *O.R.*, I, 50, pt. 1, pp. 506-507. (Note: Orton, *op. cit.*, p. 18, identifies the report as "Sumner to Townsend.")

<sup>27</sup> Scott to Sumner, August 16, 1861, in *O.R.*, I, 50, pt. 1, p. 572, and in Orton, *op. cit.*, p. 23.

<sup>28</sup> Sumner to Townsend, August 30, 1861, in *O.R.*, I, 50, pt. 1, pp. 593-94, and in Orton, *op. cit.*, pp. 23-24.

<sup>29</sup> Letter of San Francisco businessmen to Secretary of War, August 28, 1861, in *O.R.*, I, 50, pt. 1, pp. 589-91, and in Orton, *op. cit.*, pp. 27-28.

to the Union;<sup>30</sup> three-eighths of the citizens were natives of slaveholding states, were never without arms, and were devoting their full time to plotting, scheming, and organizing; even the Spanish residents had been persuaded that their land claims would meet prompt adjustment in the hands of the Confederate government. Climaxing the appeal was this statement: "To deprive us of the military support of the Government at this time is to hold out a direct encouragement to traitors."<sup>31</sup> The letter apparently was convincing to the army authorities, for orders to suspend preparations for the expedition soon followed.<sup>32</sup>

In October, 1861, after General Sumner was called to duty in the East, Brigadier General Wright became commander of the Department of the Pacific.<sup>33</sup> Forthwith, he announced that his command could repel any direct invasion of the state, but that the adjoining state of Sonora, Mexico, could easily be taken and offered the Rebels many advantages and inducements, one of which was the fine port of Guaymas. Should the Rebels succeed in taking the port, Wright said, they could destroy United States commerce in the Gulf of California and interrupt natural transit in and out of Arizona. Occupation of Sonora, therefore, "was a military necessity" in order to protect Arizona and re-establish the authority of the United States government there.<sup>34</sup> Actually, there were also current disturbances within California. On December 10, 1861, Wright reported that for several weeks small parties had been forming in the southern part of the state for the purpose of proceeding to Texas to assist the Rebels. In order to frustrate such designs, he had seized all boats and ferries on the Colorado River and had reinforced Fort Yuma. Moreover, the leader of the group, a man by the name of Dan Showalter, had been arrested and was being held at Yuma along with seventeen of his men.<sup>35</sup> As early as October, Colonel James H. Carleton, commander of the First Regiment of California Volunteers, had issued instructions that all persons passing from California into Sonora or Arizona and those

<sup>30</sup> The reflection on Governor Downey's loyalty, according to Orton, *op. cit.*, p. 28, was uncalled for inasmuch as the records show no evidence to indicate disloyalty. Moreover, Downey's letter to General Sumner on August 28, 1861, gave every assurance of his loyalty. See *ibid.*, for Governor Downey's letter. James G. Blaine also identified Governor Downey's patriotic conduct as contributing to making more manifest and effective the loyalty to the Union of the people on the Pacific Coast. See James G. Blaine, *Twenty Years of Congress: From Lincoln to Garfield* (2 vols.; Norwich, Conn.: Henry Bill Pub. Co., 1884), I, 308.

<sup>31</sup> Letter of San Francisco businessmen, in *O.R.*, I, 50, pt. 1, pp. 589-91, and in Orton, *op. cit.*, pp. 27-28.

<sup>32</sup> Townsend to Sumner, September 9, 1861, in *O.R.*, I, 50, pt. 1, p. 613, and in Orton, *op. cit.*, p. 29.

<sup>33</sup> General Orders No. 28, October 21, 1861, *O.R.*, I, 50, pt. 1, p. 666.

<sup>34</sup> Wright to Townsend, October 31, 1861, in *O.R.*, I, 50, pt. 1, pp. 690-91, and in Orton, *op. cit.*, pp. 19-30.

<sup>35</sup> Wright to Thomas, December 10, 1861, Orton, *op. cit.*, p. 40.

entering California by way of Fort Yuma must take an oath of allegiance. Those who refused were to be held in confinement.<sup>36</sup>

It was on January 28, 1862, that Wright reaffirmed the necessity of prompt occupation of Guaymas, in Sonora.<sup>37</sup> The next day he reported that he understood from good authority that the Governor of Sonora would welcome temporary occupation of Guaymas, or any portion of the state, in order to protect it from the Rebels.<sup>38</sup>

The situation did improve in California, and in April Wright was able to speak of the quietness existing in the country. Although he knew there were many men on the coast who were traitors at heart and who were at that moment "writhing under the defeats of the Rebels," he believed they were now harmless because they were so greatly in the minority.<sup>39</sup>

But there were still prominent Confederate sympathizers in the state. Among them was Judge James H. Hardy<sup>40</sup> of the Sixteenth Judicial District (Amador and Mariposa Counties), who had been impeached by the Assembly of the California state legislature. A total of twenty-two impeachment articles had been set forth. The California Senate became a High Court of Impeachment. Arguments were presented before that body and a vote of "guilty" or "not guilty" was taken separately on each article. Only on the Fifteenth Article was the defendant declared guilty, the vote being twenty-four to twelve.<sup>41</sup> Conviction was voted because the Judge had uttered "treasonable and seditious language of and concerning the Government of the United States." The penalty was suspension from office for six months and loss of pay. Among the acts for which Judge Hardy was convicted were the following: offering a toast to Jefferson Davis and the Confederacy; shouting "huzzas" for said Davis; referring to the American flag as "an old woman's rag" that "ought to be torn down"; saying, "My mother was born in the South, and I am a rebel, and I don't care a damn who knows it"; making the statement, while in a barroom, "Gentlemen, I will give you the perpetuation of a Southern Confederacy and the sovereignty of Jeff. Davis; and may his name be perpetuated in the same light they hold the immortal Washington."<sup>42</sup>

<sup>36</sup> Carleton to West, October 6, 1861, *ibid.*, p. 323.

<sup>37</sup> Wright to Thomas, January 28, 1862, in *O.R.*, I, 50, pt. 1, p. 828, and in Orton, *op. cit.*, p. 30.

<sup>38</sup> Wright to Thomas, January 29, 1862, in *O.R.*, I, 50, pt. 1, pp. 830-31, and in Orton, *op. cit.*, p. 30.

<sup>39</sup> Wright to Thomas, April 30, 1862, in *O.R.*, I, 50, pt. 1, p. 1041, and in Orton, *op. cit.*, p. 689.

<sup>40</sup> *Journal of the Senate*, Thirteenth Session, California Legislature, 1862, pp. 543-49; 625-29; 634 ff.

<sup>41</sup> *Ibid.*, p. 719.

<sup>42</sup> Impeachment Article No. 15, *ibid.*, pp. 547-48.



Another man accused of Confederate sympathies was the Reverend William A. Scott, D.D., of the Calvary Presbyterian Church on Bush Street in San Francisco.<sup>43</sup> Scott had incurred the wrath of his congregation by offering prayers for President Davis as well as for President Lincoln. The Presbytery of California was deeply concerned and on September 16, 1861, adopted the following resolution:

That, especially in a time like the present, when long premeditated and thoroughly organized rebellion is raging in many of the States of the Union, which threatens entirely to overthrow our Government and to destroy our liberties and prosperity, it is the duty of ministers of the gospel to warn the people of the awful crime of rebellion, and earnestly to exhort them to stand by their Government, and to pledge to it their full support.<sup>44</sup>

On September 22, "the popular demonstrations were such as have been chronicled in the public prints, and resulted in Dr. Scott's not entering again his pulpit. The church was closed in the evening by order of the city authorities." Dr. Scott's resignation was accepted by a resolution of the church congregation on September 30,<sup>45</sup> and on October 1 the minister and his family left for Europe.<sup>46</sup> On the same day, Governor Downey sent a letter to Dr. Scott in which he expressed regret that Scott was leaving and added that he hoped the minister would again return "to ornament the pulpit" with his "distinguished abilities and Christian virtues. . . ."<sup>47</sup>

#### AIMS OF THE CONFEDERACY IN CALIFORNIA

The Confederate government hoped to gain control not only of New Mexico and Arizona but also of California. Confederate authorities often cited reports that the state was on the eve of a revolution and that southern men there were eager to join the Confederate Army.<sup>48</sup> After General Henry H. Sibley was authorized by the Confederate government in July, 1861, to go to Texas and organize a brigade of troops for the conquest of New Mexico, it became apparent that "confederate leaders were striking at much higher game—no less than the conquest of California, . . . and, above all the possession of the gold supply of the Pacific Coast."<sup>49</sup> Even Major Trevanion T. Teel of the Southern Army

<sup>43</sup> *The Pacific Expositor*, III (November, 1861), 169-213. (The entire issue deals with the Scott case.)

<sup>44</sup> *Ibid.*, p. 190.

<sup>45</sup> *Ibid.*, p. 195.

<sup>46</sup> *Ibid.*, p. 198.

<sup>47</sup> Downey to Scott, October 1, 1861, *ibid.*, p. 201.

<sup>48</sup> Hebert to Cooper, November 25, 1861, Orton, *op. cit.*, p. 15. (See also Baylor to Davis, November 2, 1861, Orton, *op. cit.*, p. 15.)

<sup>49</sup> Latham Anderson, "Canby's Services in the New Mexican Campaign," in *Battles and Leaders of the Civil War* . . . (4 vols.; New York: The Century Co., 1884-1888), II, 697-99; cited hereafter as *B. & L.*

reported, "The objective aim and design of the campaign was the conquest of California." "California had to be conquered," he added, "so that there would be an outlet for slavery." But, Teel added, General Sibley suffered from "want of supplies, ammunition, discipline, and confidence."<sup>50</sup> Consequently, when he learned that California troops were arriving to reinforce the Union Army, he felt compelled to evacuate New Mexico Territory.<sup>51</sup>

According to the Union general, Latham Anderson, if Sibley's campaign in New Mexico had been successful, the situation would indeed have been critical for California. According to Anderson, the Confederacy would then have controlled New Mexico, Arizona, Utah, the Gulf of California, and the two finest harbors on the Pacific Coast, including a coast line of twelve to fifteen hundred miles. Recognition of the Confederacy as a sovereign state by foreign powers would then probably have been assured; the Union would have been powerless to blockade the Pacific Coast; and the gold supply "would have been diverted from Washington to Richmond." Finally, it was General Anderson's belief that Sibley could have entered California and that if he had, "the entire Mormon population of Utah, Arizona, and California would have joined him joyfully, and would have furnished him most efficient aid."<sup>52</sup>

According to James G. Blaine, Jefferson Davis had been certain that even though California did not actually secede, it would at least aid the South. Therefore it would require a large contingent of Union forces to hold California in subjection.<sup>53</sup> That California remained loyal to the Union was a deep disappointment to the Confederacy. Blaine offered his own explanation for this devotion when he said, "The loyalty of the Pacific Coast was in the hearts of its people."<sup>54</sup>

#### INDIAN ACTIVITIES

Indians on the western frontiers constituted a constant source of irritation to the United States government during and after the Civil War. California soldiers were occupied extensively with this aspect of the war and were stationed at various camps and posts for the distinct purpose of scouting the Indians and attempting to prevent their depredations.<sup>55</sup> In the year 1863 one entire California battalion, known as the First Battalion of Mountaineers, was raised especially for service against the Indians in Humboldt County and in the northwestern por-

<sup>50</sup> Major T. T. Teel, "Sibley's New Mexican Campaign—Its Objects and the Causes of Its Failure," *ibid.*, p. 700.

<sup>51</sup> Orton, *op. cit.*, p. 45.

<sup>52</sup> Anderson, *B. & L.*, II, 697-98.

<sup>53</sup> Blaine, *op. cit.*, p. 308.

<sup>54</sup> *Ibid.*

<sup>55</sup> Orton, *op. cit.*, p. 69.



tions of the state.<sup>56</sup> Overland mail routes had to be under constant guard if they were to remain open. It will be recalled that it was to serve this purpose that the first California troops were called. In December, 1861, Colonel James H. Carleton reported that the mail route from Albuquerque to Los Angeles had been obstructed by Navajo Indians.<sup>57</sup> General Wright organized a command to protect the route but expressed the view that if the Indians were fed, there would be no reason for them to commit depredations.<sup>58</sup>

Among the most troublesome and warlike Indians were the Apaches and Navajos in Arizona and New Mexico; the Shoshones, Snakes, Bannocks, and Piutes in Utah and Nevada; and various tribes in the Humboldt region of northern California.

From Tucson, Arizona, it was reported on April 2, 1861, that the Apaches "continue their almost daily depredations upon the settlers,"<sup>59</sup> and again on April 8 that about forty Apaches had attacked a stage from California.<sup>60</sup>

In the summer of 1862 the California troops (First Cavalry, California Volunteers) en route to New Mexico had several encounters with the Apaches, and three Californians were killed.<sup>61</sup> In the fall of that year Kit Carson's regiment subdued and captured many of those Indians.<sup>62</sup> The Californians again clashed with the Apaches in February, 1864, when Captain James H. Whitlock and twenty-one enlisted men attacked a party of that tribe at Pinos Altos, New Mexico.<sup>63</sup> Other companies of the same regiment continued to have battles with the Indians throughout that summer and into September.<sup>64</sup>

In his report from Fort Craig, New Mexico, in February, 1864, Colonel Edwin A. Rigg mentioned that on August 22 Company C of the First Infantry Regiment had "started on an expedition against Navajo Indians" and on August 29 had encountered a party of them. The soldiers "attacked and routed" the Indians, "without injury to either party," but they did capture 500 of the Indian sheep.<sup>65</sup>

On December 2, 1862, Colonel P. Edward Connor, at Camp Douglas, Utah, stated that Indians were threatening the overland mail route east

<sup>56</sup> *Ibid.*, pp. 826-47.

<sup>57</sup> Carleton's report from Camp Latham, December 23, 1861, in *O.R.*, I, 50, pt. 1, p. 782, and in Orton, *op. cit.*, p. 21.

<sup>58</sup> Wright to the Assistant Adjutant General, November 20, 1861, in *O.R.*, I, 50, pt. 1, pp. 730-31, and in Orton, *op. cit.*, p. 35.

<sup>59</sup> *San Francisco Daily Evening Bulletin*, April 15, 1861.

<sup>60</sup> *Ibid.*, April 24, 1861.

<sup>61</sup> Eyre to Cutler, July 6, 1862, Orton, *op. cit.*, pp. 58-60.

<sup>62</sup> *Ibid.*, p. 71.

<sup>63</sup> *Ibid.*, p. 670.

<sup>64</sup> *Ibid.*, pp. 670 ff.

<sup>65</sup> Rigg's Headquarters' report, February 26, 1864, *ibid.*, pp. 323-25.

and west from his position. In particular, he said that they had stolen 100 horses belonging to some mountaineers.<sup>66</sup> Trouble with the Shoshones, Snakes, and Bannocks—which had been reported by Major Edward McGarry as early as November, 1862—culminated on January 29, 1863, in the famous Battle of Bear River in northern Utah and southern Idaho.<sup>67</sup>

From Oregon, too, came reports of Indian difficulties. Lieutenant Thomas B. Campbell wrote from Fort Hoskins in November, 1861, that disloyalists had distributed guns, revolvers, and ammunition to the Indians "and told them to fight for Jeff. Davis and the Southern Confederacy."<sup>68</sup>

By April, 1862, the difficulties in the Humboldt district of northern California were growing worse. In fact, General Wright had found it necessary to move two companies there from Santa Barbara. Orders were given that every Indian captured who had been engaged in hostilities present or past was to "be hung on the spot."<sup>69</sup> By June 5 Wright reported disturbances in that quarter [Humboldt district],<sup>70</sup> but the disturbances did not end as the General had predicted. On February 8, 1864, Colonel Henry M. Black, commander of the Sixth Regiment of Infantry, was sent to Humboldt County with three companies of his regiment to put down the Indian troubles there. Finally, by May 9, General Wright was able to report that the Indian war was being prosecuted vigorously and successfully.<sup>71</sup>

Even after the Civil War came to a close, California troops continued to clash with Indians on the western frontiers. From January to March, 1866, various companies of the Second Regiment of Cavalry had engagements with the Indians in Nevada. On February 15, Company F fought a battle at Rock Canon, Guano Valley, that lasted from nine-thirty in the morning to three-thirty in the afternoon. In addition to the warriors who fell in the fight, the Indian dead included fifteen squaws and their children who had been hidden in the rocks, "it being impossible to distinguish" the warriors from the women. This band, made up of the Piutes, Bannocks, and Snakes, had been committing depredations in the area for the past four years.<sup>72</sup>

<sup>66</sup> Connor to Drum, December 2, 1862, *ibid.*, p. 509.

<sup>67</sup> *Ibid.*, pp. 174 ff.

<sup>68</sup> Campbell to Wildrick, November 25, 1861, *O.R.*, I, 50, pt. 1, pp. 739-40.

<sup>69</sup> Wright to Lippitt, April 7, 1862, in *O.R.*, I, 50, pt. 1, p. 992, and in Orton, *op. cit.*, p. 419.

<sup>70</sup> Wright to Thomas, June 5, 1862, Orton, *op. cit.*, p. 421.

<sup>71</sup> Wright to the Adjutant General, May 9, 1864, in *O.R.*, I, 50, pt. 2, p. 841, and in Orton, *op. cit.*, p. 721.

<sup>72</sup> Orton, *op. cit.*, pp. 186-87.

## SUMMARY

California's military problems during the Civil War were in many ways unique. Though the state was not assigned a quota, her young men nonetheless answered the calls from the Secretary of War and eagerly enlisted as volunteers. Excepting those who served under the Massachusetts quota, California soldiers did not participate in any of the major battles of the war. Rather, California troops were concerned with a variety of assignments, all in the West. These assignments included guarding overland mail routes against Indian attacks; suppressing minority elements which supported, directly or indirectly, the Confederate cause; preventing Confederate forces from gaining a foothold in the choice western territories and in California; finally, relieving United States Regulars stationed at western outposts in order that they might be reassigned to active duty in the main theaters of the war.

The most impressive aspect of California's part in the war was her constant support of the Union cause. Moreover, such loyalty, contributing as it did to the final triumph of the Union armies, was reflected within the state in a variety of ways: The state legislature of California appropriated funds to help the Union; it also took action against a prominent judge, who was a Confederate sympathizer, in such manner as to serve as a notice of warning to all others with similar motives. Each call for volunteers by the Secretary of War was met promptly and patriotically by the different war governors of California. Volunteers responded readily as each new regiment was organized. In some cases, particularly in the call for troops to be assigned to Massachusetts, the response was so great that many volunteering for service could not be accepted. Prominent citizen groups and leading newspapers made unrelenting patriotic appeals.

Disloyal elements, present as they were within California, never succeeded in achieving any great victories in their efforts and ambitions. This was due in large measure to the fact that the disloyalists were always quickly identified and brought under immediate control by the military authorities. Moreover, a citizen group such as the one of businessmen organized in San Francisco would, by its mere existence, serve as a deterrent to disloyal planning. The Confederate sympathizers, though stronger in southern California than in other parts of the state, were indeed a minority group and were never able to become an effective or a strongly organized source of opposition.

The Indian menace, constituting as it did a perpetual military problem during and after the war, was not confined to narrow geographical limits. Wherever California soldiers were assigned, encounters with

Indians were certain to follow. *But were the Indians definitely pro-Southern?* Would not their depredations and harassments have been applied equally to Confederate soldiers had they and not Union men been in the area of the Indians' homes? Allegiance, according to the Indian viewpoint, had an entirely different connotation than it did to white men. Perhaps General Wright's explanation afforded a partial answer: Had bread rather than the bayonet been the policy, the Indian crisis during the Civil War might well have been less severe and exacting on the military forces.

Unique as were the state's military problems during the war, two aspects of the state's war history stand out convincingly: First, the peculiar nature of the military assignment of California volunteers obviated the necessity of reducing Union military strength elsewhere; second, the presence of a strong Union force in California served as a definite and permanent barrier to Confederate territorial expansion.

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## General Benjamin Butler And the Dutch Consul<sup>1</sup>

MANFRED C. VERNON

DURING THE YEARS OF THE War between the States, the United States government was quite often faced with international and diplomatic problems. One of these clashes, probably by now forgotten because of its happy ending, took place in New Orleans after General Benjamin Butler's Federal troops entered the city in the late spring of 1862 and involved the Consulate of the Kingdom of the Netherlands.

New Orleans then had a very cosmopolitan population, of which one-third was foreign; most of the non-citizens were Irish, French, and German. When the war moved closer to the city, many of these foreigners grew fearful and asked their consuls to safeguard their valuables. In fact, so many things were entrusted to the consuls that some of them were compelled to rent large buildings for storage space. (General Butler suspected that some of the city's American citizens had tried to avail themselves of these facilities, hoping to exploit diplomatic and consular immunity for their own selfish ends.)

The presence of a large foreign element in the city caused Butler many problems. One was the existence of the so-called European brigade, which had been formed after Confederate military units were ordered out of the city to join General P. G. T. Beauregard. The brigade accepted the duty of repressing riots and preventing upheaval and

<sup>1</sup> This article is the result of work on a research project on "Netherlands-United States Relations" sponsored by the Research Committee of the University of Alabama.

plunder in the city. According to Butler's correspondence with Secretary of War Edwin M. Stanton, these troops "reported for service" to Confederate generals, and many of the officers "took the oath of allegiance to the Confederate States."<sup>2</sup>

Butler had been received in New Orleans with contempt and outspoken expressions of hostility. On his arrival the crowd which gathered to see him leave the transport "Mississippi" shouted such threats as "you'll never see home again," and "Yellow Jack [yellow fever] will have you before long." The General's very repressive actions strengthened this hostility and generally met with popular defiance. The famous "Woman Order" of May 15, for example, brought open expressions of disapproval from the foreigners in the city. Since many of the New Orleans women wore Southern flags on their persons and publicly expressed contempt for Union troops, Butler proclaimed that in the face of repeated insults from these women

(calling themselves ladies) . . . it is ordered, that hereafter, when any female shall, by word, gesture, or movement, insult or show contempt for any officer or soldier of the United States, she shall be regarded and held liable to be treated as a woman of the town plying her avocation.<sup>3</sup>

The greatest trouble for the General, however, was to come from the foreign consuls. These men were important to New Orleans since the city existed largely by import and export and depended heavily not only on its foreign population but also on its foreign capital. Consuls naturally regarded themselves as custodians of their countries' interests and considered their primary duty the protection of their nationals from any kind of injustice.<sup>4</sup> Butler's suspicions that consuls had given aid

<sup>2</sup> Butler pointed out also that the commanding general of the brigade, Paul Juge, "a naturalized citizen of the United States, but born in France, renounced his citizenship, and applied to the French government to be restored to his former citizenship as a native of France, at the very time he held the command of this foreign legion." Butler also reported that the Prussian consul, now General Reichard, had left the city for Virginia to join the Confederate forces there. For more detail on Butler's evaluation of the situation, see James Parton, *General Butler in New Orleans* (New York: Mason Bros., 1864), pp. 315 ff.

<sup>3</sup> Robert S. Holtzman, *Stormy Ben Butler* (New York: The MacMillan Co., 1954), pp. 84, 85.

<sup>4</sup> *Ibid.*, p. 79. Parton, however, uses critical words in regard to some of the consuls (*op. cit.*, pp. 354-55):

"Their position in New Orleans had been one of first-rate importance during the rebellion; for it was chiefly through the foreign capitalists of the city that the confederacy had been supplied with arms and munitions of war, and it had been the congenial office of the consuls to afford them aid and protection in that lucrative business. They forgot that they were only consuls. They forgot the United States. Often communicating directly with the cabinet ministers of their countries, always flattered and made much of by the supporters of the rebellion, expecting with the most perfect confidence the triumph of secession, representing powers every one of which desired or counted upon its success, they assumed the tone of embassa-



to the cause of the Confederacy prior to the occupation of New Orleans led to many conflicts. Another source of friction with the foreign representatives was the General's requirement of a loyalty oath from aliens. The protests of the consuls led to a modification of the oath, which was then taken by thousands of the foreigners.

Minor clashes with members of the diplomatic corps were common. The British consul was involved when the British Guard was ordered out of the city because it had sent its equipment to Confederate General Beauregard before the Union occupation force arrived. Two men who refused to leave were arrested and held until the British Minister in Washington protested about the matter to Secretary of State William H. Seward. The French consul in New Orleans, Count Mejan, also faced the problem of the arrest of a French national, one Charles Heidsieck. Head of the famous French champagne company, Heidsieck was in the United States on business when he was arrested by Butler on the charge that he had made trips "between Mobile and New Orleans in the disguise of a bartender on a riverboat" and on these trips had often carried "treasonable letters." Heidsieck was finally released upon the appeal of the French minister to Seward.<sup>5</sup>

Another case involving the consuls of Great Britain, France, and Greece arose when General Butler seized a quantity of sugar on the grounds that it was the property of dummy European companies whose profits accrued to Confederate agents abroad.<sup>6</sup>

Yet perhaps the most serious of these clashes involved the Dutch consul. The incident occurred on May 10, 1862, but did not come to the attention of the Minister of the Netherlands at Washington, Theodorus Roest van Limburg, and the Secretary of State until a few weeks later.<sup>7</sup> On June 5, 1862, the Secretary wrote van Limburg to inform him of a regrettable conflict which had arisen between the military authorities of the Federal Army and the Consulate of the Netherlands at New Orleans. According to the information obtained by Seward, Major Gen-

dors [*sic*]; they courted the power which they assumed would finally rule in New Orleans, and held in contempt or aversion the one to which they were accredited."

<sup>5</sup> Holtzman, *op. cit.*, pp. 80, 81.

<sup>6</sup> Parton, *op. cit.*, p. 382. The case was decided in favor of the claimants who had asked for return of the sugar after the departure of Butler from the city.

<sup>7</sup> The letters, notes, documents, and other materials used hereafter come from two Department of State files in the National Archives, Washington. One of these is called "Notes to the Legation of the Netherlands from the Secretary of State"; the material used was found in Vol. VI, July 1, 1834, to July 20, 1866. The other file is entitled "Notes from Roest van Limburg, to the Honorable Mr. Seward, Secretary of State of the United States of America," Vol. V. Much of this material can also be found in the published *Diplomatic Correspondence*. Yet it is interesting to note that one of the most important letters in connection with the case described here was not printed in the *Correspondence*.

eral Butler had been told that "a very large sum of money belonging to insurgent enemies was lying secreted in a certain liquor store in the city." "Very properly," Seward continued, Butler sent a "military guard to search the premises indicated." A person found there, a Mr. Amedée Conturié, "denied all knowledge of any such deposits, and claimed that all the property in the building belonged to himself personally." Nevertheless, he also avowed himself to be the consul of the Netherlands and claimed all immunities for the Consulate. In spite of this statement he was detained, and the keys of his vault were taken from his person. The vault yielded \$800,000 in specie, \$18,000 in bonds or evidences of debts, dies and plates of the Citizens Bank of Louisiana, and also the "consular commission and exequatur." The entire contents of the vault were removed and placed for safekeeping in the United States Mint, and the action was reported to the Secretary of War.

Seward's note also revealed that the Consul in New Orleans had protested the legality of the detention and search and had maintained that the money and bonds taken from him were lawful deposits belonging to a banking firm in Amsterdam, Hope and Company, subjects of the King of the Netherlands. This assertion had been substantiated by an agent of the firm. The Consul, furthermore, denied that he had ever claimed the money and bonds to be his own. Yet General Butler still insisted that the deposits were fraudulent and treasonable and had been made "with the connivance of the Consul."

The Secretary expressed the feelings of the President that under the circumstances (war and occupation of the city) the Consul in New Orleans "ought in the first instance, to have submitted to the General the explanations which he afterwards made in his protest":

The Consul, however, preferred to stand silent, and to insist on official immunities the extent of which he certainly misunderstood when he assumed that his flag or the Consular occupancy of the premises entitled him, in a time of public danger, to an exemption from making any exhibition of suspected property on the premises, or any explanation concerning it.

It was conceded, however, that the error of the Consul was altogether insufficient to justify what afterwards occurred; furthermore, it was felt that the Consul was unnecessarily and rudely searched, and

that certain papers which incontestibly were archives of the Consulate, were seized and removed, and they are still withheld from him, that he was not only denied the privilege of conferring with a friendly colleague, but was addressed in very discourteous and disrespectful language. This Government disapproves of these proceedings and also of the sanction which was given to them by Major General Butler; and expresses its regret that the misconduct thus censured has occurred.

Seward also revealed that special persons had been ordered to investi-



gate the matter and assured the Ambassador that "this Government holds itself responsible for the money and the bonds in question and [promises] to deliver them up to the Consul or to Hope and Company." In addition, the Minister was promised that the consular commission and exequatur, together with all the private papers, would be immediately returned to Mr. Conturié and that he would be allowed, for the present, to resume his official functions: "Should the facts when ascertained justify a representation to you of misconduct in his past, it will in due time be made. . . ."

Van Limburg's answer to this note came the next day. He acknowledged the letter and thanked the President and the government of the United States for the expression of deep regret in the affair. He also indicated his surprise at the manner in which General Butler had handled the matter. In fact, the Minister felt that since the statements of the General differed from the allegations of the Consul, the very serious charges of Butler against Conturié should involve a proceeding deserving of removal from office of the one or the other. Accusations such as "connivance" or "fraudulent deposit," if true, should be sufficient to remove the Consul; on the other hand, if not proved, the same treatment should be given to the General. "It is for Major General Butler to prove what he alleges. . . . It is not for me, it is not for our Consul, to prove that he is innocent."

Van Limburg's note was accompanied by a "statement of facts," given by A. Conturié on the 13th of May, 1862, and including copies of receipt to have been given by the firm of Hope and Company for the money and bonds. Conturié alleged that on May 10, 1862, he was in the consular office, located at 109 Canal Street, when, during the early afternoon, he was called upon by an officer wearing the uniform and arms of a captain of the United States Army. The officer, accompanied by a squad of six or eight men, informed the Consul that he had come to prevent the exit of any person or property from the premises. Conturié's statement continued:

I said that I was Consul of the Netherlands, that this was the office of my Consulate, and that I protested against any such violation of the same. I then wrote a note to Comte Mejan, Consul of France in this City, requesting him to come to me for consultation. This note was handed to the officer, whose name I then learned to be Capt. Shipley, who promised to send it, after taking it to Headquarters.

Capt. Shipley returned, and stated to me, that by order of Major General Butler, my note would not be sent to Consul Mejan, and he, the Captain would proceed forthwith to search the premises. Capt. Shipley then demanded of me the keys of my vault: this I refused to deliver. He remarked that he would have to force open the door; and I told him that in regard to that he could do what he pleased. For the second time, I again protested against the violation

of my Consular Office to Capt. Shipley, who then went out. Before he left, I distinctly put the question to him: "Sir, am I to understand that my Consular Office is taken possession of, and myself, am arrested, by you; and that too, by order of Major General Butler?" he replied "Yes, Sir!"

Shipley departed, leaving another officer in the office, while a special guard was also posted in the room. Finally the captain returned followed by another officer of high rank, J. Burnham Kinsman, aide-de-camp to General Butler.

This Officer approached me, and in a passionate, insulting tone, contrasting singularly with the gentlemanly deportment of both Capt. Shipley and Lieut. Whitcomb, made the same demand for the Keys, as had been made by Capt. Shipley; and I made the same refusal, protesting against the act, as I had done before. He then gave orders to search the Office, and break open, if need be, the doors of the vault.

I then arose, and said: "I, Amedée Conturié, Consul of the Netherlands, protest against any occupation or search of my Office and this, I do in the name of my Government. The name of my Consulate is over the door and my Flag floats over my head; if I cede, it is to force alone." Search being begun in the Office, by the Officer, I told him that the keys were on my person. He then, in a more rough tone, ordered two of the soldiers to search my person, using the following, among other expressions: "Search the fellow," "strip him," "take off his coat, stockings," "search even the soles of his shoes." I remarked to the Officer that the appellation of a "fellow" that he gave me, was never applied to a Gentleman, far less to a Foreign Consul, in his Consular capacity, as I was then; and that I requested him to remember that he had said the word. He replied that it was the name he had given me, and he repeated over the words three times.

The keys then were taken from the Consul's pockets by Captain Shipley and Lieutenant Whitcomb. Before there was a chance to open the vault, the Consul told the officers that he had forwarded another message to the French Consul and asked whether, in the meantime, their action could be delayed; but Shipley said he had to follow the General's orders. After Kinsman had opened the vault, he came out again and departed, but some of the officers remained in the room all the time. Kinsman returned later, locked the vault, and took the keys with him. Conturié reported that Kinsman had threatened him, telling him that he had placed himself "in a bad position, and should be treated without any considerations." The Consul continued his report by saying that he had been held prisoner until about 7:00 p.m. of the same day, when an officer arrived and told him he was now at liberty to go whenever he pleased. Conturié left the office after taking down the consular flag, but he returned to the neighborhood several times that evening and found armed sentinels guarding the office as late as midnight. The next day, a Sunday, Conturié observed armed soldiers, commanded by

officers in uniform, removing the money which was in kegs, as well as tin boxes which contained the bonds and other tin boxes marked with the Consul's name.

The second part of the "statement of facts" contains a copy of a letter of the Consul to General Butler, written at 9:00 p.m. on May 10. In the letter Conturié asked whether the acts against him had been carried out with Butler's sanction or by his order.

In support of the Consul's claims, the agent of Hope and Company wrote a letter to the General on May 11, verifying the facts of the deposits for his firm and the correspondence with the Citizens Bank of Louisiana; the latter was concerned with the money which had been ordered withdrawn "in such cases of excitement" for safekeeping "under the protection of the Consul of the Netherlands." The agent, finally, asked for the return of the money.

On May 14 a letter under the heading "Head Quarters Department of the Gulf, New Orleans" was sent to the Consul over the signature of General Butler:

Sir,

Your communication of the 10th instant is received. The nature of the property found concealed beneath your consular flag, the specie, dies, and plates of the Citizens Bank of New Orleans under a claim that it was your *private* property, which claim is now admitted to be groundless, shows you have merited, so far as I can judge the treatment you have received, even if a little rough; having prostituted your flag to a *base* purpose, you could not hope to have it respected so *debased*.

I am officially

your obedient servant

(signed) BENJAMIN F. BUTLER\*

Prior to writing this answer, the General had probably received the letter of protest written and signed by all the consuls in New Orleans, including those of France, Spain, Russia, Italy, Sweden and Norway, Switzerland, Prussia and Hanover, and many others. They charged that the Dutch Consulate had been "forcibly entered," that "the person of the Consul [had been] subjected to indignity and severe ill usage and kept prisoner for several hours"; and therefore they "formally protest[ed] against such action."

On June 7 van Limburg wrote Seward asking for correction of "a want of clearness made by Major General Butler, upon which you based your reproach to the Consul." While the sincerity and the desire of the President and the government of the United States to terminate the case "in

\* The words in italics were underlined in the copy of this letter in the Archives.

the most just but also the most prompt manner" was respected, the Minister said, he wanted to be informed of the

proof which Major General Butler pretends to have had in his hands, to accuse the Consul of the Netherlands and to seize the deposits as unlawful. . . . for it is upon proof existing at the time of the seizure, and solely upon these proofs, upon which Major General Butler must rely. *Ex post factum*, There will be nothing to allege.

The same day the Minister was informed by the Secretary of State that the President expected Consul Conturié to "resume and continue in the discharge of his official functions until there shall be further occasion for him to relinquish them." It was also revealed that the Honorable Reverdy Johnson had been appointed as a commissioner to investigate the matter. Meanwhile, Secretary of War Stanton appointed Colonel George F. Shepley military governor of the state of Louisiana. (Butler, however, retained the post of commander of the Department of the Gulf, and was Shepley's superior.)

In his letter of June 7 the Secretary of State expressed the American feeling that the Dutch government wanted more than admission by the American government that the "law of nations" had been violated:

You added however that your government flattered itself that the United States would go farther and that in the view of the government of the Netherlands the gravity and publicity of the outrage (as you were pleased to call these transactions) demand that the government of the U.S. give public evidence of its regret, for example, by manifesting by some public act its dissatisfaction with Major General Butler. . . . You further add that the Government of the Netherlands considering, until proof is made to the contrary, that Mr. Conturié as Consul has acted in good faith, expects that the Government of the United States will not refuse to do likewise and that it will please consequently to invite the Consul, who on the avowal of the American Government has been very ill used, to resume his consular functions.

Secretary Seward felt that the Netherlands government acted under the mistaken idea that the United States "for some reason desire in some way to cover or conceal from the world the proceedings which they have taken in regard to these questions." If this was, in fact, what the Dutch government thought, Seward said, it was in error. He stated furthermore that the correspondence was not private and that the Dutch government was at liberty to publish it "without reserve" if it chose to do so. Finally, he proposed that, "according to our national habit," the matter be communicated "without any reservation" to Congress.

It is very true, Sir, [Seward said] as you remark that Mr. Conturié has been very ill used and upon that ground General Shepley [the new military governor] will be directed to invite him to resume his Consular Functions at New Orleans if indeed he has not done so already under previous instructions. . . . But I must nevertheless accompany this invitation with the declaration that in the judgment of the Government Mr. Conturié has acted throughout, the in-

vestigation of them which has taken place, in a manner that was very indiscreet and calculated though I presume intended to embarrass the relations between your country and our own. . . . And that unless his conduct hereafter shall exhibit more of consideration for the authority of the United States, it must not be expected that the President will be content with his remaining in the Consulate at New Orleans.

In a reply of the same day (June 7), the Minister wrote Seward:

It appears that *you* cannot at present decide as to the allegation of Major General Butler, whilst I, until the contrary be proved, must consider our Consul as acting entirely in good faith and as being perfectly in the right to receive from the hands of the agent of the firm of Hope & Co., of Amsterdam, a deposit for that firm.

The letter continued:

Your note of the 5th says that his consular commission and the exequatur of the President (improperly taken out of his possession by Major General Butler) will be returned to him immediately and that he will be "permitted" to resume his functions. I have no reason to suppose, Sir, that you have used this term with any positive intention: therefore I flatter myself that, while reserving to yourself any ulterior action against the Consul, you will not object to considering him, as I do, and as justice considers every man against whom nothing has been proved as honorable and as acting in good faith; and that consequently you will not refuse to "invite" him, through my interposition, to resume his functions, while adding that you cannot consider him otherwise than as acting in good faith and as honorable until contrary be proved, and while waiting for the report of the commissioner whom you are going to send to New Orleans.

More letters followed two days later when van Limburg expressed his surprise at not yet having seen any proofs of the Consul's doubtful actions:

Well then, Mr. Secretary of State, since you acknowledge to me that you are not in possession of the proofs, is it not natural to conclude therefrom that these proofs do not exist: For, was it not the duty of Major General Butler to submit them to you, without delay, to justify the seizure of funds, of which you now know they were in deposit at the house of the Netherlands Consul . . . ?

In another letter of June 9, the Minister expressed his regrets that he was not able to accept the presidential formula that the Consul should resume and continue in the discharge of his functions for the time being. The matter had to be decided by the Dutch government, van Limburg said. In fact, a letter, written on June 29 from Niagara Falls, informed Secretary Seward that

in consequence of outrages committed by the military authorities on the person of the Consul of the Netherlands at New Orleans, and of the refusal of the Government of the United States to give satisfaction to the outraged functionary, who, in my opinion, should be considered as innocent until the contrary be proven, I have, while awaiting the instructions of the King's Government, requested the Count de Mejan, Consul of France at New

Orleans, to have the kindness, as Consul of a friendly power, to accord, if the case happened, his protection, to subjects of the King who may have need of it, at New Orleans.

He also expressed his feelings in behalf of Mr. Conturié as follows:

Our Consul, Mr. Conturié, has not been suspended from his functions by me; but, while awaiting the instructions of the Royal Government, I regard him as placed under a moral impossibility to exercise his function in consequence of the outrage committed on his person by the military authorities of the United States, and of the refusal, you have given, to "invite" him to resume his functions, and to declare that you consider him as innocent until the imputations cast upon him by Major General Butler shall have been proven.

On July 28 van Limburg wrote a further statement from Detroit, now informing the American authorities of the official support that he had been given by his own government in handling of the affair.

Approving fully the line of conduct which I thought it my duty to pursue in that business, the Royal Government, shares the satisfaction which I experienced, when, by your letter of 5 June you were so good as to inform me, Sir, that the President and Government of the United States viewed the conduct of the military authorities at New Orleans as a violation of the law of nations; that they disapproved, and disapproved the sanction there given to it by Major General Butler. But the King's Government flatters itself that the one of the United States will go further.<sup>9</sup>

The note continued that in the view of the King's Government the gravity and publicity of the outrage demand that the Government of the United States give public evidence of its regret, for example, by manifesting, by some public act, its dissatisfaction with Major General Butler.<sup>10</sup> The King's Government, considering until proof made to the contrary, the Netherlands Consul at New Orleans as having acted in good faith, expects that the Government of the United States will not refuse to do likewise and that it will please, consequently, to invite the Consul (who on the avowal of the American Government itself, has been very ill used (*maltraité*) to resume his consular functions. . . . The Government of the Netherlands animated by sentiments of moderation and conciliation, does not insist, at present, on a restitution *in integrum* or *in statu quo ante*, but expects, in requital, from the justice of the American government, that the property taken from Netherlands residents at New Orleans, or elsewhere, be restored. . . ."

<sup>9</sup> This particular letter of van Limburg to Seward contains some interesting remarks entered with pencil on the edge of the English translation of the note. They probably indicate the immediate reaction of the reviewer, or one of the reviewers, to the case in question:

"Unreasonable because the acknowledgment has been already explicitly made in an official note which was addressed to van Limburg by Mr. Seward which the Dutch Government is at liberty to publish, and which this Government will publish in due time.—Besides Gen. Butler was removed."

<sup>10</sup> The pencil notes in the margin of the translation continue on this point as follows: "Besides Gen. Butler was removed. This Government waits for the proofs. The demand is premature."



Before the Minister submitted the report of his government's position, he assured Seward that the Netherlands at that time was not interested in forcing a demand upon the United States; he declared himself "to be the organ of sentiments quite as conciliatory as those which you assured me animated the government of the United States in this lamentable business." He finally asked in behalf of his government the following:

1. Satisfaction—ulterior and public (in the sense above expressed)—given to the government of the Netherlands by that of the United States for the violation of the Netherlands Consulate at New Orleans.

2. An invitation addressed by the government of the United States to the Consul of the Netherlands, outraged by military authority, to the end that he resume the exercise of his function.

3. Restitution of property seized belonging to Netherlanders.

4. Restitution of \$800,000 as soon as it shall be shown that the ownership was transferred to Messrs. Hope & Co.

The next statement found in the Archives files came also from van Limburg, who wrote Seward on August 22 that Conturié had "completely ceased from the exercise of his consular functions," and these activities were now being handled by the consul of France. It was also in this letter that the Minister requested that the French consul at New Orleans, Count de Mejan, now definitely be recognized *ad interim* with the Consulate of the Netherlands, "in virtue of instructions from the King's government."<sup>11</sup>

Meanwhile, Johnson had reached New Orleans and had begun his investigation of the affair. After "frank, direct, and unreserved proceedings," he ruled that the money seized at the Dutch Consulate was to be returned to the Consul or the agent of Hope and Company or the Citizens Bank of Louisiana. The bonds taken at the same time were to be handed over to the Hope agent, and the remaining papers were to be delivered to Mr. Conturié by Major General Butler or the officer commanding at New Orleans.<sup>12</sup>

<sup>11</sup> In his autobiography General Butler, while making general observations on the French consul, referred to a meeting with Count Mejan, who allegedly had in his consulate very large sums of money. Butler asked him to give his word of honor that no property belonging in any way to Confederates should be sent out of his consular office without a prior report to him. The General's way of reference to the Consul impresses the reader as most sympathetic: "I ought to have a very kindly regard for Count Mejan, as he gave me a certificate of good manners. He wrote to his minister, and it was filed in the State Department,—that 'General Butler can be very polite when he chooses.'" *Butler's Book: Autobiography and Personal Reminiscences* (Boston: A. M. Thayer & Co., 1892), p. 426.

<sup>12</sup> The author made it a point to check on any possible statements from Butler himself after he had departed from New Orleans. It is interesting that in Butler's autobiography the incident was not mentioned at all. While the General refers to some encounters with a few consuls (among others, he mentions the consuls of

On August 25, 1862, Seward wrote the Ambassador, expressing satisfaction that the Netherlands government "regards the questions as having been settled in consequence of what had been done by this Government."

This is the last item found in the printed *Diplomatic Correspondence*, and a reader of that publication would conclude that the matter was settled with the restitution of the seized property and the withdrawal of Consul Conturié from the post at New Orleans. But what was apparently the final note in the affair seems not to have been published in the *Diplomatic Correspondence*. The *Correspondence* reveals only the receipt of information about the Consul's suspension from his official functions. The temporary appointment of a substitute made the case appear closed. And yet, after the August, 1862 correspondence, more notes were exchanged between the Dutch and American authorities. By September 19 military authorities at New Orleans had *invited* Conturié to resume his post,<sup>13</sup> and three months later, on December 22, van Limburg brought the following information to the attention of Seward:

In virtue of instructions which I have just received from his Excellency, the Minister of Foreign Affairs of the King, I have the honor to make known to you that the Government of the Netherlands considers the matter of the violation of the Netherlands Consulate at New Orleans as settled, in consequence of what has been done on the part of the Government of the United States.

In the communications of the Honorable Secretary of State, under the date of 20th of August and 4th of September last, and in the appointment of General Shepley, the Government of the King find sufficient ground to hope with

Prussia, Britain, and France), there is no reference to this particular occurrence. Perhaps the following passage from his book suggests, however, that Butler had not forgotten the matter (*op. cit.*, p. 426):

"Mr. Seward, the Secretary of State, was in distress whenever I did anything that caused a little whipper-snapper emissary from some government in Europe to complain of my just treatment of a man who claimed to be a consul, and this caused perpetual interference and annoyance. Otherwise I was supreme. . . ."

Another indirect reference to Conturié's case was a remark of Butler's in the account of his financial transactions in New Orleans. He indicated then that:

"most of the property, amounting to some millions of dollars, that I had taken from the neutrals because I found them in arms against the United States, was given up by Mr. Seward on complaint of the foreign ministers, and was duly returned upon orders through the adjudications of a commissioner, Reverdy Johnson, the Baltimore secessionist. . . . He was appointed by Mr. Seward and instructed to decide, as he did in every case, in favor of the foreigner. Seward lived under a consuming and chronic fear that if we held any property of a foreigner, however guilty of treason, his government would declare for the independence of the Confederacy; and those governments and their officers did not scruple to take full advantage of Seward's timidity [*ibid.*, p. 522]."

<sup>13</sup> *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington: Government Printing Office, 1880-1901), Ser. III, Vol. 2, p. 623.

confidence, that the Consul of the Netherlands at New Orleans will be, and will remain exempt of all official relation with Major General Butler. The Government of the King learned, to its regret, that the general had not ceased to exercise civil functions at New Orleans but it remains convinced that the American Government would not permit its continuation both on account of the promise given, as in view of the preservation and strengthening of a good understanding with the Netherlands.

Consequently, Sir, I will thank, without delay, the Count Mejan for the kindness which he has had to take charge provisionally of the conduct of the Netherlands Consulate at New Orleans, and I will invite Mr. Conturié to re-enter there, at once, upon his consular functions. Requesting you, Sir, to be pleased to consider these measures as executed, I have the honor to renew to you the assurances of my high consideration.

(signed) ROEST VAN LIMBURG

Thus ended what was probably the most serious clash between the Netherlands and the United States during the Civil War, although there had been other problems, complaints, and requests. Since the Netherlands was a trading nation, she was concerned with the rights and protection of neutral trade and property, and the interruption of trade by the blockade.<sup>14</sup> But the only other serious disagreement between the two nations was over the affair of the Confederate vessel "Sumter." The Americans maintained that this vessel was a privateer commissioned by insurgents and protested to the Netherlands government when she was allowed to enter the port of Curaçao in the summer of 1861. The Dutch held, on the other hand, that to close her ports to the Confederacy but not to the Union would, in effect, negate her neutrality. The "Sumter" then, to the Dutch, was a man-of-war. Soon after, the Netherlands recognized the Confederacy as a "belligerent nation."<sup>15</sup>

Despite these incidents, there was no serious breach of relations between the Netherlands and the United States, and Roest van Limburg's letter of December, 1862, in regard to Conturié provided a happy ending to a potentially dangerous incident, which soon became a forgotten footnote in the history of the War between the States.

<sup>14</sup> Johannes C. Westermann, *The Netherlands and the United States* (The Hague: Martinus Nijhoff, 1935), pp. 390-91.

<sup>15</sup> The Dutch foreign minister informed American authorities that the vessel had entered the port "in distress," was not a privateer, and was probably "regarded as a ship-of-war of the so-called Confederate States." U.S. Department of State, *Papers Relating to Foreign Affairs, 1861*, pp. 341 ff. The episode is also described by Raphael Semmes, the captain of the "Sumter," in *The Cruise of the Alabama and the Sumter* (New York: Carleton, 1864), pp. 23, 24. It might be interesting to readers to know that this book—and thus the story of the "Sumter" at Curaçao—was translated into Dutch. See *Kruistogten van de Alabama en de Sumter* (Zwolle, 1864), pp. 26-28.

"Belligerent rights" granted to the Confederacy were withdrawn finally by May, 1865. See Donaldson Jordan and Edwin J. Pratt, *Europe and the American Civil War* (Boston and New York: Houghton Mifflin Co., 1931), p. 197.

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## Southern Protestantism— 1861 and After

W. HARRISON DANIEL

THE CIVIL WAR WHICH FOLLOWED the formation of the Confederacy in 1861 was a matter of deep concern to Southern Protestants, for they did not want war. Denominational newspapers had expressed the hope that secession would be peaceful, like the separation of Abraham and Lot, and that the South would be permitted to preserve its own institutions and way of life unmolested.<sup>1</sup> But when the hope for peace proved to be an illusion, all of the major denominations took the official position that the war was a just one and that Christians could participate in it without any qualms of conscience. Churchmen proclaimed that the war had been forced upon a peace-loving South. The Fort Sumter incident, they declared, was the first step by the Federal government in a war to exterminate the Confederacy, and was an unjust invasion of peaceful territory.<sup>2</sup> Ecclesiastical groups passed resolutions, and denominational newspapers printed editorials blaming the North for the conflict.<sup>3</sup> The

<sup>1</sup> *South Western Baptist* (Tuskegee), November 29, 1860; *Southern Presbyterian* (Columbia), November 17, 1860; *Tennessee Baptist* (Nashville), November 24, 1860; *Christian Index* (Macon), January 30, 1861. Also see J. W. Tucker, *God's Providence In War; A Sermon Delivered to his Congregation in Fayetteville, North Carolina on Friday, May 16, 1862* (Fayetteville, 1862), p. 6.

<sup>2</sup> *Minutes of the Baptist Convention of the State of Georgia, 1861. Held With the Baptist Church in Athens, April 26-29, 1861* (Macon, 1861), p. 5; *Minutes of the Synod of South Carolina, Charleston, November 8, 1861* (MSS, Presbyterian Historical Foundation, Montreat, N.C.); *North Carolina Christian Advocate* (Raleigh), April 29, 1861.

<sup>3</sup> James A. Millard, Jr., ed., *A Digest of the Acts and Proceedings of the General Assembly of the Presbyterian Church in the United States, 1861-1944* (Rich-

North was not only branded the transgressor but was also accused of having prepared for the diabolical war for over thirty years.<sup>4</sup> Men were urged to defend their rights and were told that Christians could enter into the war without compunction and with the faith that, though the battles might be bloody and rugged, the God of hosts would be with them.<sup>5</sup> The religious press pointed out that the South had made every effort to avoid war. Peace overtures had been made to the North; peace commissioners had been sent to Washington in an effort to arrive at a compromise which would make for a peaceful separation, but all these efforts had been rebuffed.<sup>6</sup> Since the North had forced the war, the South interpreted it as just in the eyes of God because it was one of self-defense<sup>7</sup> and because it was a war for the preservation of constitutional liberties and home, family, and church against the assault of fanaticism, infidelity, and atheism.<sup>8</sup> In such a struggle the people were implored to pray to God for deliverance and to observe certain days for fasting and praying. Divine blessings were invoked upon the Confeder-

mond, 1945), p. 159; *Southern Lutheran* (Charleston), February 15, 1862; *The Christian Sun* (Suffolk, Va.), October 18, 1861; *Minutes of the Evangelical Lutheran Tennessee Synod. Held in St. John's Church, Lexington District, South Carolina, November 9-16, 1861* (Greensborough, 1861), p. 12; Charles Gillette, *A Few Historic Records of the Church in the Diocese of Texas, during the Rebellion. Together With A Correspondence between the Right Rev. Alexander Gregg, D.D. and the Rev. Charles Gillette, Rector of St. David's, Austin* (New York, 1865), p. 15; Edward McPherson, *The Political History of the United States of America, during the Great Rebellion . . .* (Washington: Solomons and Chapman, 1876), pp. 514, 515.

<sup>4</sup> *North Carolina Christian Advocate* (Raleigh), April 29, 1861.

<sup>5</sup> *Memphis, Arkansas and Ouachita Christian Advocate* (Memphis), July 11, 1861.

<sup>6</sup> *South Western Baptist* (Tuskegee), April 18, 1861; *Christian Intelligencer* (Richmond), May 16, 1861.

<sup>7</sup> *North Carolina Presbyterian* (Fayetteville), April 27, 1861; *Minutes of the Baptist General Association of Virginia, 1861* (Richmond, 1861), p. 16; *Southern Presbyterian* (Columbia), August 24, 1861; *Proceedings of the Forty-second Annual Conference of the Evangelical Lutheran Tennessee Synod. Held in Grace Church, Catawba County, North Carolina, October 4-7, 1862* (Greensborough, 1863), p. 5.

<sup>8</sup> *Christian Index* (Macon), April 17, 1861; Millard, *op. cit.*, p. 159; *Minutes of the Roanoke Presbytery*, August 30, 1861 (MSS, Union Theological Seminary Library, Richmond, Va.); *Religious Herald* (Richmond), June 27, 1861; *Minutes of the Twenty-Fourth Annual Session of the Towaliga Association of Primitive Baptists, Convened at Liberty Church, Butts County, Georgia, August 31-September 2, 1861* (Griffin, 1861), p. 9; *Minutes of the Ocmulgee Association, Convened with the Falling Creek Church, Jasper County, September 7-9, 1861* (Mill-edgeville, 1861), p. 9; *Minutes of the Twenty-Third Annual Meeting of the Union Baptist Association, Held with the Brenham Church, Washington County, Texas, July 11-13, 1862* (Bellville, 1862), p. 8; *Confederate Baptist* (Greenville), June 24, 1863.

ate government and armed forces in the hope that independence would soon be achieved.<sup>9</sup>

The war was also interpreted by churchmen as being the chastisement of God. It was His method of disciplining the people so that they would be more appreciative of independence.<sup>10</sup> Dr. Benjamin Morgan Palmer, in a sermon before the Georgia legislature, said that God was using the war as a disciplinary action on the Southern people, preparing them for a great future.<sup>11</sup> There were others who saw the war as God's punishment for their sins. Amasa Converse, a prominent Presbyterian minister and editor, said that the South had been guilty of idleness and intemperance, had been proud and ungrateful, and that these sins were partially responsible for the war.<sup>12</sup> Swearing, drinking, avarice, and licentiousness were also mentioned as sins for which God was punishing the South.<sup>13</sup> Churchmen at one gathering asserted that the war was God's means of purifying the people. The sufferings and trials of war were depicted as purifying agents of the Almighty, as His means of freeing men from greed and selfishness and of making them more devoted to Him.<sup>14</sup> War

<sup>9</sup> It was a common practice during the war for ecclesiastical meetings and denominational newspapers to urge their people to pray for peace and the welfare of their country. For examples see the following: McPherson, *op. cit.*, p. 514; Millard, *op. cit.*, p. 159; *Church Intelligencer* (Raleigh), May 9, 1861; *North Carolina Christian Advocate* (Raleigh), April 29, 1861; *Religious Herald* (Richmond), June 13, 1861, August 25, 1864; *Journal of the Fortieth Annual Convention of the Protestant Episcopal Church in the Diocese of Georgia, St. Philip's Church, Atlanta, May 8-15, 1862* (Savannah, 1862), pp. 8-10.

<sup>10</sup> *Central Presbyterian* (Richmond), December 7, 1861; Minutes of the Twenty-first Annual Session of the Rappahannock Baptist Association, July 28-30, 1863 (MSS, Virginia Baptist Historical Society, University of Richmond); Minutes of the Twenty-second Annual Session of the Rappahannock Baptist Association, October 26-28, 1864 (MSS, Virginia Baptist Historical Society, University of Richmond).

<sup>11</sup> *Christian Index* (Macon), April 6, 1861. Palmer was pastor of the First Presbyterian Church in New Orleans and was one of the most prominent ministers in his denomination.

<sup>12</sup> *Christian Observer* (Richmond), April 17, 1862. Also see *Tennessee Baptist* (Nashville), June 15, 1861; *Minutes of the Seventy-eighth, Seventy-ninth, Eightieth, Eighty-first, and Eighty-second Annual Meetings of the Dover Baptist Association, Held at Leigh Street, Beulah, Berea, Dover, and Colosse Churches, 1862, 1863, 1864, 1865, and 1866*, *Condensed* (Richmond, 1866), p. 10; Minute Book of the Roanoke Baptist Association, August 20-22, 1861 (MSS, Virginia Baptist Historical Society, University of Richmond).

<sup>13</sup> Bishop William Meade, "Address to the Congregation at Millwood, June 13, 1861," *The Southern Episcopalian*, VIII (October, 1861), 341; *Minutes of the Seventy-eighth . . . Eighty-second Meetings of the Dover Association*, p. 10; *Minutes of the Fifty-ninth Annual Meeting of the Evangelical Lutheran Synod and Ministerium of North Carolina, Organ Church, North Carolina, May 1-6, 1862* (Salisbury, 1862), p. 5; *Southern Christian Advocate* (Augusta), April 6, 1865.

<sup>14</sup> *Minutes of the Sixty-first Annual Convention of the Evangelical Lutheran Synod and Ministerium of North Carolina, Mt. Carmel Church, April 18-May 2, 1864*



was also viewed as a part of the divine plan to elevate, strengthen, and develop national character.<sup>15</sup> It was God's way of "breaking up mammon worship"<sup>16</sup> and of teaching men the Christian virtues of humility and patience. The people were told that God permitted the war in order to teach them patience and submissiveness to His will. The sooner they humbled themselves before Him the sooner would be their deliverance.<sup>17</sup> Until men learned to submit without murmur to whatever the Almighty pleased to send upon them, the chastening would continue.<sup>18</sup>

There were still others who interpreted the war as the judgment of God upon the people of the South for their failure successfully to Christianize the Negro. The South had been negligent in this task, they said, and therefore the region was suffering.<sup>19</sup>

The hand of God was read into every defeat and every victory of the Confederate forces. The losses in the West during the opening months of 1862 were interpreted by some as divine discipline against sloth, selfishness, love of ease, and the worship of material things.<sup>20</sup> The fall of New Orleans was called a "cup of bitterness" which it was God's will for the South to take.<sup>21</sup> The disaster at Gettysburg was attributed not to the failure of certain of Lee's corps commanders to move at a given time but to the sin of pride. One editor commented that

probably no offense to God has been more conspicuous in our history than our pride . . . our self-confidence. . . . As we marched into Pennsylvania our people were vainly puffed up with pride. . . . How shamefully we forgot God. We believe it was in mercy, He frowned upon this attempt to do without Him.<sup>22</sup>

Confederate reverses in the West in the summer and early fall of 1863

(Salisbury, 1864), p. 5; also see Henry H. Tucker, *A Sermon Delivered before the Legislature of Georgia, in the Capitol at Milledgeville on Friday, November 15, 1861* (Milledgeville, 1861), p. 15.

<sup>15</sup> I. T. Tichenor, *Fast-Day Sermon, Delivered before the General Assembly of the State of Alabama, Friday, August 21, 1863* (Montgomery, 1863), p. 8. Also see *Southern Christian Advocate* (Augusta), September 8, 1864.

<sup>16</sup> T. V. Moore, *God Our Refuge and Strength in This War. A Discourse before the Congregations of the First and Second Presbyterian Churches, on the Day of Humiliation, Fasting, and Prayer Appointed by President Davis, Friday, November 15, 1861* (Richmond, 1861), p. 7.

<sup>17</sup> *Texas Christian Advocate* (Galveston), May 23, 1861; *Southern Presbyterian* (Columbia), November 10, 1864; J. C. Cranberry to his wife, September 24, 1864, John C. Cranberry Papers (MSS, University of Virginia Library, Charlottesville).

<sup>18</sup> *Southern Churchman* (Richmond), October 17, 1862.

<sup>19</sup> *Christian Index* (Macon), March 23, 1863; *Southern Christian Advocate* (Augusta), January 14, 1864; Joseph B. Cheshire, *The Church in the Confederate States: A History of the Protestant Episcopal Church in the Confederate States* (New York: Longmans, Green & Co., 1912), p. 117.

<sup>20</sup> *Southern Presbyterian* (Columbia), February 22, 1862.

<sup>21</sup> *Central Presbyterian* (Richmond), May 1, 1863.

<sup>22</sup> *Central Presbyterian* (Richmond), August 13, 1863.

were explained in theological language instead of military terms. The loss at Vicksburg and Chickamauga elicited the following response from one denominational gathering: "For some wise purpose, known only to Him . . . a cloud has been permitted to gather over our sky . . . and our national cause has been doomed to suffer sad reverses."<sup>23</sup>

Defeats were often portrayed, too, as necessary preparation for peace and prosperity. Without reverses, the people were told, they would have no conception of their true condition. They would become "puffed up like a bubble, would burst and scatter into nothingness." Reverses would prevent this from happening because through them God tested and developed the character of a people.<sup>24</sup> Attention was called to the biblical teaching, "God always chastises those whom He loves the most."<sup>25</sup> He had often permitted the Hebrew children, for example, to be punished, but He had never forsaken them. One ecclesiastical gathering observed that whenever God had a task for His people to perform He first brought upon them a time of trial and affliction. This group believed that the war was the work of the Almighty, preparing the people of the South "for some great work . . . maybe . . . to send out His truth and light to the nations of the earth."<sup>26</sup> The people of the South were asked to be firm in the faith, and assured that God would then grant victory and independence to the Confederacy.<sup>27</sup>

Victory in battle was considered a gift of God, the evidence of His good pleasure toward the South. The various denominations, in their ecclesiastical meetings, thanked God for victory, acknowledged His hand in the present difficulties, and beseeched His salvation for the final victory.<sup>28</sup> Church newspapers also expressed this view. Following

<sup>23</sup> *Minutes of the Evangelical Lutheran Synod and Ministerium of South Carolina and Adjacent States. Convened at Bethlehem Church, Pomaria, South Carolina on October 16, 1863* (Columbia, 1864), p. 6.

<sup>24</sup> *Southern Lutheran* (Charleston), August 1, 1863; *Southern Presbyterian* (Columbia), January 12, 1865; *The Soldier's Visitor* (Richmond), January, 1865.

<sup>25</sup> *Biblical Recorder* (Raleigh), June 11, 1862.

<sup>26</sup> Minutes of the Twentieth Annual Session of the Rappahannock Baptist Association, September 23-25, 1862 (MSS, Virginia Baptist Historical Society, University of Richmond), p. 272. This association affirmed the belief that the "purity and simplicity of the gospel was found in greater degree in the Southern churches than anywhere else." In the South it had been preserved from the "pernicious dogmas of England, the transcendental philosophy of France and Germany . . . and from the isms of the North."

<sup>27</sup> *Minutes of the Alabama Conference of the Methodist Episcopal Church, South. Held in Columbus, Mississippi, November 25-December 2, 1863* (Mobile, 1863), p. 23; *Journal of the Sixty-ninth Annual Council of the Protestant Episcopal Church in Virginia. St. Paul's Church, Richmond, May 18-19, 1864* (Richmond, 1864), pp. 12-13; *Christian Index* (Macon), May 20, 1864, February 9, 1865; *Southern Presbyterian* (Columbia), January 12, 1865; *Church Intelligencer* (Charlotte), March 23, 1865.

<sup>28</sup> This was a characteristic practice of ecclesiastical meetings during the war. For examples, see *Proceedings of the Ninth Biennial Session of the Southern Baptist*

McClellan's failure to take Richmond in 1862 an editor wrote, "We are jubilant over the victory. God smote the oppressor. We were not worthy of deliverance, yet He delivered us. Let us all offer Him prayers of thanksgiving."<sup>29</sup> Protestant Episcopal Bishop Alexander Gregg concluded that the Confederate victories in Virginia in the spring of 1862 were an indication that God was on the side of the South.<sup>30</sup>

Protestant leaders in the South believed that the war waged by the Confederacy was just and righteous and that God would bless the South with independence; but this belief was shattered in the spring of 1865. Churchmen, however, did not interpret the surrender at Appomattox as evidence that God had forsaken the South. A group of Virginia Baptists met six weeks after Lee's surrender and declared, "The sore trials through which we have passed and the darkness which now overshadows us are a part of the workings of Providence. . . . Our severe chastisements . . . are ordained of God, as instruments to work for us a far more exceeding and eternal glory."<sup>31</sup> The Baptist General Association of Virginia, which convened in June, 1865, at Richmond, passed the following resolution:

We deem it our duty as patriots and Christians to accept the order of Providence, to yield unreserved and faithful obedience to the powers that be. . . . We recommend to our brethren throughout the state to prove themselves loyal citizens of the United States.<sup>32</sup>

Later that summer the Appomattox Baptist Association met, and after acknowledging that the cause of Southern independence had been

*Convention. Held in the Green Street Baptist Church, Augusta, Georgia. May 8-12, 1863 (Macon, 1863), p. 54; Millard, op. cit., p. 160; Journal of the Sixty-Eighth Annual Council of the Protestant Episcopal Church in Virginia. St. Paul's Church, Richmond, May 20-22, 1863 (Richmond, 1863), p. 16; Minutes of the Second Convention of the General Synod of the Evangelical Lutheran Church in the Confederate States of America. Held at Organ Church, Rowan County, North Carolina, May 12-17, 1864 (Salisbury, 1864), p. 4; Minutes of the Alabama Conference of the Methodist Episcopal Church, South, 1863, p. 23; Minutes of the Second Annual Convention of the Evangelical Lutheran Synod of the State of Georgia, Convened at Mt. Pilgrim Church, Coweta County, Georgia on November 15, 1862 (Griffin, 1862), p. 4; Minutes of the Associated Reformed Synod of the South, Held at Bethel Church, Wilcox County, Alabama, September 16-17, 1861 (Due West, S.C., 1861), p. 32.*

<sup>29</sup> *Religious Herald* (Richmond), July 10, 1862.

<sup>30</sup> Gillette, *op. cit.*, p. 44.

<sup>31</sup> Minutes of the Twenty-Third Annual Session of the Rappahannock Baptist Association, May 29-31, 1865 (MSS, Virginia Baptist Historical Society, University of Richmond).

<sup>32</sup> *Minutes of the Baptist General Association of Virginia, Held in the City of Richmond, June 1, 1865 (Richmond, 1866), p. 21.* For expression of similar views, see *Minute Book of the James River Association, July 24, 1866 (MSS, Virginia Baptist Historical Society, University of Richmond); Minutes of the Seventy-Eighth . . . Eighty-Second Meetings of the Dover Association, p. 26; Richard H. Wilmer, The Recent Past from a Southern Standpoint (New York: T. Whittaker, 1887), p. 36.*

abandoned, expressed the following sentiments: "We hail with gratitude the restoration of peace . . . and accept the results of war, not only as a necessity forced upon us by the sword, but as the determination of an inscrutable Providence."<sup>33</sup> True to their faith, Southern Protestants did not regard the outcome of the war with bitterness or despair but as the workings of a mysterious Providence.

In conclusion it should be noted that Southern Protestantism did not want war. It was hoped that secession would be accompanied by peace, but when war came all of the major denominations gave it their support.

In the minutes of their synods, conferences, presbyteries, associations, conventions, and assemblies, one finds resolutions which were passed pledging support to the prosecution of the war. Denominational newspapers were active in urging readers to support the war effort with their lives and wealth. The blame for the war was placed on Northern fanaticism which was bent upon the destruction of Southern rights. The war was interpreted as just and right in the South because it was a war for the defense of home, family, church, and constitutional liberties; Christians were urged to pray for the forces fighting for these rights. As the war continued, churchmen interpreted it as the chastisement of God for various aspects of their existence at which He was displeased. But the chastisement was a means of discipline, a means of elevating the people to a higher type of Christian living. The will of God was read into every victory and defeat, and though the defeats became more numerous and the conditions of life more stringent, the people of the South were told by churchmen that it was all the will of God. They were to be patient, repent of their sins, humble themselves before Him, and peace and prosperity and independence would be assured. When all this was denied, it was still interpreted as the will of God. Men were counseled by the church to accept the surrender as a part of the inscrutable plan of Providence and to endeavour to be loyal and obedient to the powers that be.

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<sup>33</sup> *Minutes of the Appomattox Baptist Association. Held with the Matthews Church, August 8-9, 1865 (Petersburg, 1865), p. 5.*

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## The Jayhawkers and Copperheads of Kansas

ALBERT CASTEL

"I WOULD NOT FOR MY LIFE go into any part of Kansas and advocate the rebel cause. . . . The mere suspicion that one is disloyal may result in his being shot."<sup>1</sup> So wrote a *New York Tribune* correspondent following a trip through Kansas early in 1863.

The correspondent did not exaggerate. The overwhelming majority of Kansans were Northern in origin, Republican in politics, and intensely antislavery in sentiment. Moreover, they had bitter memories of the Missouri border ruffian invasions of the 1850's and of the long struggle to make Kansas a free state. As a consequence probably nowhere else in the North did there exist so fanatical a devotion to the Union cause and so passionate a hatred of the South and slavery as in this recently admitted and sparsely settled frontier state.

The patriotism of the Kansans led to their contributing more Federal troops, in proportion to population, than any other Northern state; these troops suffered a higher percentage of casualties than those of any other Northern state.<sup>2</sup> Their strong antislavery, anti-Southern feeling also resulted in a fierce and oftentimes vicious persecution of any group or person in Kansas suspected of disloyalty or Southern sympathies. Thus the citizens of Elwood, as well as those of many other Kansas communities,

<sup>1</sup> Quoted in *Freedom's Champion* (Atchison), March 31, 1863.

<sup>2</sup> *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington: Government Printing Office, 1880-1901), Ser. III, Vol. 5, p. 667; hereinafter cited as O.R., followed by the series number in Roman numerals, the volume number in Arabic, the part number (if any), and the page, as O.R., III, 5, p. 667.

publicly flogged alleged "secessionists" and ordered them to leave the state.<sup>3</sup> At Topeka, members of the local Union League moved to "take care" of all Copperheads following the Lawrence Massacre.<sup>4</sup> In Jefferson County, failure to join the militia or to enthusiastically support all war measures was generally sufficient to cause a man to lose his property or even his life.<sup>5</sup> And at Junction City and Fort Scott, soldiers sacked newspapers accused of publishing treasonable statements.<sup>6</sup> Such repressive measures, moreover, could be committed with legal impunity: The state legislature had declared all "rebel sympathizers" to be outside the protection of the law.<sup>7</sup>

The brunt of suspicion and persecution fell on settlers of Southern antecedents, and in particular on members of the Methodist Episcopal Church, South. When the ministers of this church met in Atchison in September, 1861, for their annual conference, city authorities notified them to transact their business and be out of town without two hours. Their presence caused an "unusual commotion" among the townspeople, who kept them under surveillance throughout their stay in Atchison. As the war proceeded and this sort of hysteria increased, members of the church became afraid of being known as such, and finally stopped attending public services. Soldiers destroyed a Southern Methodist meetinghouse at Shawnee Mission, and mobs wrecked its churches elsewhere. Often members found it necessary to meet clandestinely in private houses. Eventually all but four of Southern Methodist preachers in Kansas fled the state for fear of their lives; and of these four, only one "continued to preach through the war period." By the end of the war the Methodist Church, South, was nearly extinct in the state.<sup>8</sup>

The most notorious instance of the persecution of so-called Copperheads occurred in Leavenworth, then the chief city of Kansas. In June, 1861, Daniel R. Anthony, fiery Republican publisher of the misnamed *Leavenworth Daily Conservative*, shot and killed R. C. Saterlee, Democratic editor of the rival *Herald*, for printing supposedly unpatriotic remarks. Anthony was brought to trial but acquitted; his deed apparently received general public approbation. The only concern manifested by

<sup>3</sup> *Ekwood Free Press*, September 7, 1861; *Fort Scott Democrat*, June 10, 1861; *Leavenworth Daily Conservative*, July 17, 1861; *Freedom's Champion* (Atchison), February 22, 1862.

<sup>4</sup> Diary of Samuel J. Reader (MSS, State Historical Society, Topeka, Kansas), August 22, 1863.

<sup>5</sup> Alfred Theodore Andreas, comp., *History of the State of Kansas* (Chicago: A. T. Andreas & Co., 1883), p. 503.

<sup>6</sup> *Ibid.*, pp. 1001-02; *Fort Scott Democrat*, September 21, 1861.

<sup>7</sup> *The Laws of the State of Kansas*, 1863, p. 50.

<sup>8</sup> Joab Spencer, "The Methodist Episcopal Church, South, in Kansas—1854 to 1906," *Kansas Historical Collections*, XII (1911-1912), 147-54.



Anthony over the killing was whether it would have an adverse affect on his appointment to a postmastership. It did not.<sup>9</sup>

Following Saterlee's death Leavenworth was without a Democratic newspaper until February, 1862, when the *Daily Inquirer* began publication, with Burrell E. Taylor as editor. The paper angered Leavenworth's citizens by criticizing Lincoln's administration, and a few weeks after it began publication, a mob formed for the purpose of wrecking the newspaper office but was dispersed by D. W. Wilder, editor of the *Conservative*. This action was highly uncharacteristic of Wilder, who was the leading advocate of repressing "secessionists," and is probably explicable at least in part by the fact that the *Inquirer* was printed on the presses of the *Conservative*. On June 15, however, the *Inquirer* was suppressed and Taylor and the publisher arrested for "giving aid and comfort to the Confederacy." This highhanded, unwarranted action was ordered by Brigadier General James G. Blunt, commander of the Department of Kansas and a leading member of the radical Republican faction in the state, who had been sharply criticized in an issue of the *Inquirer*. A writ of *habeas corpus* speedily released both men, and the paper resumed publication.<sup>10</sup>

There were no more serious outbreaks of persecution in Leavenworth until the early part of 1863. On February 7 of that year a mob led by Anthony and the notorious jayhawker Charles Jennison broke up a Democratic "peace convention." Two days later another mob with the same leaders sacked the offices of the *Inquirer* and drove Taylor out of town. City authorities attempted to halt the mob, street fighting ensued, and Blunt imposed martial law. Blunt's sympathies had not changed, however, for a few days afterwards he joined Anthony and Jennison in addressing a meeting of "unconditional Union men," which went on record as approving the action against the *Inquirer*.<sup>11</sup>

In May, Anthony, now mayor, arrested David H. Bailey, editor of the conservative Republican *Leavenworth Daily Times*, for disturbing the peace by publishing an article which had criticized the military strategy of General Joseph Hooker in Virginia. Bailey was fined twenty dollars, but indignantly refused to pay the fine and spent three hours in jail before obtaining release on a writ of *habeas corpus*. He then sued Anthony, who was fined fifty dollars and costs.<sup>12</sup>

<sup>9</sup> *Leavenworth Daily Conservative*, June 14, 1861; *Leavenworth Daily Times*, June 14, 15, 1861; James H. Lane to D. R. Anthony, July 16, 1861, D. R. Anthony Papers (MSS, State Historical Society, Topeka, Kansas).

<sup>10</sup> *Leavenworth Daily Conservative*, March 1, 28, June 17, 1862.

<sup>11</sup> *Ibid.*, February 8, 11, 14, 1863.

<sup>12</sup> *Council Grove Press*, May 25, 1863; *Leavenworth Daily Times*, September 21, 23, 1863.

Throughout the war Kansas Republicans, already waving the "Bloody Shirt," labeled their Democratic opponents as "seceders" and "Copperheads," notwithstanding the fact that many of them were serving with conspicuous gallantry in the Union Army. In 1862 the Democrats claimed, probably with justification, that terrorism in various localities had prevented them from voting in the state and national elections. And in both 1862 and 1864 the Democrats found it "inexpedient" to nominate a state ticket. Much of the odium that descended upon the Democrats nationally during the Civil War as a result of their peace and anti-emancipationist policies fell also upon the Democrats of Kansas. Numerous Democrats, George A. Crawford of Fort Scott being perhaps the most prominent, joined the Union Party, as the Republicans styled themselves, and even those old "proslavery villains" of territorial days, Sheriff Sam Jones and Judge Samuel D. Lecompte, became Republicans. Although certain individual Democrats exercised considerable personal influence, Kansas Democrats as a party emerged from the war an extremely weak minority, the victims of history and their own mistakes.<sup>13</sup>

Despite the fears and assertions of some Kansans, there seems to have been, in truth, very little active disloyalty in the state, as distinguished from political dissent or simple pro-Southern leanings. There are only a few scattered scraps of evidence among the great quantity of records pertaining to this period of Kansas history which indicate disloyalty, and even this "evidence" is vague and inconclusive. One item is to the effect that a public meeting in Atchison, which had a sizable Southern element, voted against both the "coercion" of the seceded states and the formation of a military company to support the Northern war effort.<sup>14</sup> Another consists of newspaper reports concerning the organization of pro-Confederate "Blue Lodges" and "Knights of the Golden Circle" in Doniphan County and in the Marysville and Topeka areas.<sup>15</sup> Still another is a statement made by General Blunt in the spring of 1863 that there were 800 "Knights of the Golden Circle" in the state engaged in plotting with Missouri guerrillas and Confederate agents.<sup>16</sup> But certainly the most intriguing is a letter to Confederate President Jefferson Davis from a man named F. J. Marshall. In this letter, dated Marysville, Kansas, May 20, 1861, Marshall asked Davis to provide him with six regiments of cavalry for the purpose of conquering Kansas and Colorado

<sup>13</sup> For a full account of Civil War politics in Kansas, see Albert Castel, *A Frontier State at War: Kansas, 1861-1865* (Ithaca, N.Y.: Cornell University Press, 1958).

<sup>14</sup> *Freedom's Champion* (Atchison), May 4, 1861.

<sup>15</sup> *Leavenworth Daily Conservative*, July 11, 1861; *Kansas City (Mo.) Daily Journal*, July 19, 1861.

<sup>16</sup> *O.R.*, I, 22, pt. 2, pp. 22-24.

for the South. Kansas, according to Marshall, was a state "controlled by a majority of poor, worthless, starving abolitionists, who receive their support from donations of provisions from the Northern States," and it would fall easily to the force requested.<sup>17</sup>

Nowhere, however, does there appear to be recorded substantiation for an actual deed committed or attempted by treasonable organizations. The closest thing to it is a statement in the *Council Grove* (Kansas) *Press* that pro-Southern elements in Morris County—where there were forty-two subscribers to the Ohio Copperhead newspaper *The Crisis*—aided members of Dick Yeager's guerrilla band during a raid through that section.<sup>18</sup> Also, after the Quantrill massacre of August 21, 1863, a mob in Lawrence accused several residents of the town of assisting the raiders, and lynched one of them.<sup>19</sup> In all likelihood most of the really serious and determined Confederate sympathizers who happened to be in the state at the outbreak of the war either went South or, like Quantrill of Lawrence, William Thrailkill of Iowa Point, and "Bloody Bill" Anderson of Council Grove, joined the Missouri bushwhackers. Anderson called his gang the "Kansas First Guerrillas," and claimed that all of its members were from that state.<sup>20</sup>

In spite of the intense antislavery and pro-Union feeling in Kansas, it is doubtful that alleged rebel sympathizers would have been subjected to such violent persecution, and the civil rights of Democrats and persons of Southern birth so flagrantly violated, if it had not been for the influence and example of a group of demagogic politicians led by Senator James H. Lane, and including Wilder, Anthony, Blunt, and Jennison. These men headed the radical faction of the Kansas Republican Party and throughout the war exercised a corrupt domination over state politics and government. This domination they effectively maintained and increased by taking the lead in advocating antislavery measures and the suppression of "traitors." They urged and, in the cases of Lane, Anthony, and Jennison, personally carried out campaigns of terror, looting, and repression against alleged disloyalists. They branded all who opposed them as "Copperheads" and "proslavery"—sometimes smearing even long-time Republicans and abolitionists with these opprobrious terms. As stated in a speech in 1863 by General Thomas Ewing, Jr., a moderate Kansas Republican and commander of the District of the Border, they "arrogated to themselves and their sympathizers all the radical anti-slaveryism and genuine loyalty in Kansas," and by

<sup>17</sup> *Ibid.*, I, 3, pp. 578-79.

<sup>18</sup> *Council Grove Press*, April 20, May 11, 1863.

<sup>19</sup> *Leavenworth Daily Conservative*, August 27, 1863.

<sup>20</sup> *Kansas Chief* (White Cloud), December 5, 1861; *Olathe Mirror*, May 16, 1863; *Kansas City* (Mo.) *Western Journal of Commerce*, May 16, 1863.

"distorting the honest sentiment of the State," gave "respectability to robbery when committed on any whom they declare disloyal."<sup>21</sup>

Closely linked to the radicals, if not in fact at least in tendency and tactics, were powerful bands of freebooters known as jayhawkers. They had come into being along the Kansas-Missouri border prior to the war and were headed by James Montgomery and Charles Jennison. These two men were "practical abolitionists" who advocated direct action as the only way to destroy slavery. From 1857 to 1860, and during the early part of 1861, they conducted a number of slave-liberating (or stealing) raids into Missouri; they harried "proslavery" settlers around Fort Scott and Mound City and in general created so much turmoil and strife in southeastern Kansas that the "responsible men" of the area thought seriously of leaving the state. Their operations were backed with money and arms supplied by a group of wealthy New England abolitionists headed by George Luther Stearns, Thomas Wentworth Higginson, F. B. Sanborn, and N. W. Thayer. The halfhearted and totally inept efforts of the territorial and federal authorities to suppress them was futile.

The jayhawkers' professed objective was the abolition of slavery and the repression of proslavery settlers. Actually, however, with the probable exception of Montgomery, their main interest and motivation were plunder and excitement. Most of them were reckless, foot-loose young men—the "roughly-dressed, hard-drinking, gun-toting b'hoys" so numerous in Kansas at this time. Essentially they were products of the raw, violent western frontier, with its lack of legal and moral restraints. The border war with Missouri and the slavery controversy merely provided them with an excuse and an opportunity for violent action.

The jayhawkers welcomed the coming of the Civil War as opening up new and broader fields of operations. Their number, activity, and violence quickly increased. Although most of their raids were conducted against Missouri, they also perpetrated countless acts of robbery and terror in Kansas itself.<sup>22</sup> In Kansas as in Missouri they covered and excused their deeds by claiming that they were merely punishing "secesh" and "proslavery" persons. For a while they received widespread praise and support from Kansans, who imagined that their motives were identical with their public statements and that they were performing a worthwhile service in suppressing pro-Southern elements and guarding the border against the Missourians.<sup>23</sup>

<sup>21</sup> *Leavenworth Daily Conservative*, July 2, 1863.

<sup>22</sup> *Ibid.*, July 11, 17, 27, 30, 1861; *Fort Scott Democrat*, September 21, 1861.

<sup>23</sup> *Freedom's Champion* (Atchison), August 10, 1861; *Elwood Free Press*, August 10, 1861; *Kansas State Journal* (Lawrence), August 8, 15, 1861; *Lawrence Republican*, July 17, 1861; *Kansas Chief* (White Cloud), September 5, 1861; *Olathe Mirror*, June 27, July 25, 1861.

The leading advocate and eulogist of the jayhawkers was Wilder of the *Leavenworth Daily Conservative*. Declaring that "the essence of Jayhawking is Democracy," he defied those who criticized the practice by stating:

Jayhawking was got up in Kansas. It's one of our things. It works well; we believe in it, we are going to have it. It don't make any difference whether the authorities, civil or military, believe in it or not. Kansas don't care much for authorities; never did, never will.<sup>24</sup>

But when it became obvious that the jayhawkers were plundering and killing indiscriminately, and not only in Missouri, praise gave way to denunciation.<sup>25</sup> Only Wilder continued to extol them, and after one of his heroes—Marshall Cleveland—robbed two banks in Kansas City, Missouri, Wilder was forced to admit that the man was no more than a "desperado."<sup>26</sup>

Far from being "the last of the jayhawkers," as one Kansas writer later called him, Cleveland was actually one of the first, both from the standpoint of time and prominence. A former Missouri convict, young, tall, and dashing, he joined Jennison's band in the summer of 1861. About the middle of September, accompanied by thirteen men, he raided the "border ruffian town" of Westport, Missouri, and "captured" fourteen Negroes and an unspecified quantity of horses, wagons, and "plunder." A few days later he stole the horses of a number of alleged secessionists in Leavenworth and the victims fled the town. Wilder praised his actions. Cleveland then became captain of Company H of the Seventh Kansas Cavalry, which was commanded by Jennison, but soon deserted with a number of his men following a quarrel with Anthony, then lieutenant colonel of the regiment.<sup>27</sup>

After the Kansas City robbery, Cleveland went to Atchison, accompanied by a "score of dissolute and dirty desperadoes." That town contained a sizable Southern element, "legitimate game" for Cleveland's operations. And since most of the "loyal population" was in the army, the town was not capable of offering him organized resistance. He established his headquarters in a saloon, proclaimed himself "Marshal of Kansas," and called upon the citizens to sustain him in putting down the "foes of the Government." At first the people welcomed him as a source

<sup>24</sup> *Leavenworth Daily Conservative*, September 20, 1861.

<sup>25</sup> *Kansas Chief* (White Cloud), November 7, 1861; *Kansas State Journal* (Lawrence), November 21, 1861; *Kansas State Record* (Topeka), September 21, 1861; *Oskaloosa Independent*, September 28, November 30, 1861; *Freedom's Champion* (Atchison), November 15, 23, 1861. Kansas newspapers, however, continued to praise jayhawking when directed against Missourians.

<sup>26</sup> *Leavenworth Daily Conservative*, November 17, 1861.

<sup>27</sup> *Ibid.*, September 19, 20, 1861.

of protection against incursions from Missouri, but this attitude lasted only briefly. His men practically ran amuck in the town, defied the municipal authorities, and committed such intolerable excesses that their expulsion became a public necessity.

Federal troops from Weston, Missouri, made several unsuccessful attempts to apprehend Cleveland and his gang. Finally, on the night of January 19, 1862, city authorities prepared a trap. A force under Marshal Holbert stationed itself in hiding near an old warehouse by the river and waited for Cleveland to return from a raid into Missouri. As colorfully described by a contemporary,

It was a brilliant moonlight night in midwinter. The freebooters emerged from the forest and crossed upon the ice. They were freshly mounted, and each one had a spare horse. Accompanying them were two sleighs loaded with negroes, harness, and miscellaneous plunder. As they ascended the steep shore of the levee, unconscious of danger, they were all taken prisoners, except Cleveland, who turned suddenly, spurred his horse down the embankment and escaped.

The next day Cleveland rode boldly into Atchison, captured Holbert at gunpoint on the street, and compelled him to walk by the side of his horse for a short distance. Then, when he realized that a crowd was gathering to capture him, he struck Holbert on the head with a pistol and fled. He continued his exploits for several months, but fame had made him a marked man. On May 10 a squad of troops apprehended him in a hotel at Osawatomie. He managed to get away, but the soldiers followed him, and as he endeavored to escape into a ravine, he was shot and killed.<sup>28</sup>

From the beginning of the war state and military authorities had made repeated but sporadic efforts to put down jayhawking. In August, 1861, Governor Charles Robinson sent a posse into Johnson County after receiving information that the people of the region were more afraid of the jayhawkers than of the Missouri bushwhackers, and that "a secret organization had been formed for the purpose of plundering the people: ostensibly to operate against those who are lukewarm on the union question, but really to rob every man of property."<sup>29</sup> Several months later he stationed troops at scattered points in northern Kansas at the behest of State Supreme Court Judge Samuel A. Kingman, who also reported that the populace feared the jayhawkers as much as they did the Missou-

<sup>28</sup> John J. Ingalls, "The Last of the Jayhawkers," in *A Collection of the Writings of John James Ingalls* (William E. Connelley, ed.; Kansas City, Mo.: Hudson-Kimberly Publishing Co., (1902), pp. 54-56; *Freedom's Champion* (Atchison), January 25, 1862; *Leavenworth Daily Conservative*, May 14, 1862.

<sup>29</sup> E. S. Lowman to Robinson, August 13, 1861, Charles Robinson Papers (MSS, State Historical Society, Topeka, Kansas).



rians.<sup>30</sup> Apparently, however, the soldiers themselves sometimes turned to jayhawking. (In the spring of 1863, for example, Governor Thomas Carney received a petition from the citizens of Troy asking that the troops stationed there be removed since they were committing depredations.<sup>31</sup>)

Governor Robinson's efforts to check jayhawking failed. In a message to the legislature in January, 1862, he announced that the state was "overrun with thieves and highway robbers"—a condition he blamed both on the war and (by implication) on his arch enemy, Senator Lane.<sup>32</sup> On February 8, 1862, at Robinson's request, General David Hunter, commander of the Department of Kansas, placed all of Kansas under martial law, "The civil authorities being manifestly unable to preserve the peace and give due security to life and property," and "the crime of armed depredations or jayhawking having reached a height dangerous to peace. . . ."<sup>33</sup>

General Blunt, Hunter's successor, retained martial law and issued new orders designed to suppress jayhawking. The practice continued unabated, however, and by the end of 1862 another band was operating. Called the Red Legs because of the red leather leggings they affected, this gang included not only "the most desperate characters in the country" but many army officers, soldiers, and otherwise reputable citizens, and extended in scope to Colorado, Nebraska, and Iowa. Its main headquarters were at Lawrence and at Six-Mile House, an inn on the road between Leavenworth and Wyandotte. George Hoyt, a friend and lieutenant of Jennison's, was its alleged leader. Most of the cattle, horses, and other loot stolen by the Red Legs in forays through the border counties of Missouri was disposed of at Leavenworth and Lawrence, sometimes in public auctions.<sup>34</sup>

Blunt issued a proclamation against the Red Legs on March 2, 1863, and in April he sent the Ninth Kansas Regiment to operate against them, with orders to shoot on the spot any person or persons "caught in the act of thievery or other lawlessness, or in the possession of stolen property."<sup>35</sup>

<sup>30</sup> Kingman to Robinson, November 25, 1861, Governor's Correspondence (Charles Robinson), Military Affairs, 1861-1862 (MSS, Kansas State Archives, State Historical Society, Topeka, Kansas).

<sup>31</sup> Petition, dated May, 1863, Governor's Correspondence (Thomas Carney), General, 1863-1864 (MSS, Kansas State Archives, State Historical Society, Topeka, Kansas).

<sup>32</sup> *Kansas State Journal* (Lawrence), January 23, 1862.

<sup>33</sup> O.R., I, 8, pp. 547-48.

<sup>34</sup> James G. Blunt, "General Blunt's Account of his Civil War Experiences," *Kansas Historical Quarterly*, I (May, 1932), 239; *Leavenworth Daily Conservative*, December 16, 1862; *Kansas City* (Mo.) *Western Journal of Commerce*, April 25, May 2, 1862; *Oskaloosa Independent*, July 25, 1863.

<sup>35</sup> O.R., I, 22, pt. 2, pp. 139, 222-23.

Some Kansans expressed doubt about the sincerity of Blunt's orders against the Red Legs, since Captain James Tough, one of their reputed leaders, was his chief of scouts.<sup>36</sup> In any event, Blunt's campaign achieved little, and in July Governor Carney felt it necessary to issue a public letter deploring "the prevalence of robberies and the too great disregard of law" in the state and declaring that the theft of "horses and other stock, though not as universally prevalent as formerly, is still common in nearly all parts of the state."<sup>37</sup>

The campaign against the Red Legs continued under General Ewing, who replaced Blunt as commander in Kansas. In a highly publicized speech at Olathe late in June, 1863, Ewing denounced "men in Kansas who are stealing themselves rich in the name of liberty," and warned the Red Legs to abandon their ways and join the army, or else be put down "with a rough hand." He went on to describe the tactics of the Red Legs: "If a farmer came to Kansas originally from a Slave State, and especially if he has good stock, he is in danger of being suspected, and if suspected by the most suspicious of this sect, his stock is taken and sold, and the proceeds put in the pockets of the vigilant patriots."<sup>38</sup>

Ewing next placed Leavenworth under martial law because, he charged, Anthony as mayor of the town was interfering with efforts to rout out the illegal trade in stolen livestock centered there. Anthony protested vehemently against the imposition of martial law, and demanded that it be lifted. Wilder backed him by publishing violent tirades against Ewing in the *Conservative* and by getting up a petition for rescinding martial law. The *Leavenworth Times*, on the other hand, supported Ewing and produced a counter-petition. The *Oskaloosa Independent* also approved of Ewing's action and asserted that Anthony was corrupt and had countenanced the Red Legs and their dishonest traffic.<sup>39</sup>

Ewing's campaign against jayhawking encouraged the law-abiding citizens of the state to suppress the evil through popular action. During the summer of 1863 they formed vigilante organizations which hunted the bandits down and engaged them in pitched battles. Many jayhawkers were killed, some joined the army, others went into hiding, and the rest fled the state.<sup>40</sup>

As a result of the measures instituted by Ewing and the vigilantes, jayhawking generally subsided during the latter part of the war. Even

<sup>36</sup> *Oskaloosa Independent*, April 25, 1863; *Olathe Mirror*, February 13, 20, 1863.

<sup>37</sup> *Leavenworth Daily Conservative*, July 31, 1863.

<sup>38</sup> *Ibid.*, July 2, 1863.

<sup>39</sup> *Ibid.*, July 21, 22, 31; August 2, 1863; *Leavenworth Daily Times*, July 21, August 4, 1863; *Oskaloosa Independent*, July 25, 1863.

<sup>40</sup> *Leavenworth Daily Conservative*, May 16, June 9, 1863; *Kansas State Journal* (Lawrence), August 6, 1863; Andreas, *op. cit.*, p. 503.

so, the crime and violence it had engendered continued rampant. As late as September, 1865, the editor of the *Council Grove Press* sarcastically commented that "horse stealing and robbery seem to be the most respectable mode of making a living just at the present time."<sup>41</sup>

The worse consequence of jayhawking, however, was the influence it had on the relations between Missouri and Kansas. The jayhawkers and Red Legs, through their marauding in the Missouri border counties, had aroused embittered hatred among the people of that region, most of whom had little love for Kansas anyway. Retaliatory raids on the "Jayhawker State" followed. There can be little doubt that one of the primary and immediate motives of Quantrill's murderous raid on Lawrence, Kansas, in August, 1863, was to wipe out the Red Legs who made the town their base of operations.<sup>42</sup> Civil War Kansas paid dearly, first, for countenancing the jayhawkers and, then, for failing to suppress them.

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<sup>41</sup> *Council Grove Press*, September 22, 1865.

<sup>42</sup> For an analysis of the motives of Quantrill's destruction and massacre of Lawrence, see Chapter VII of the author's *A Frontier State at War*, *op. cit.*

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## The Salvador Pirates

BENJAMIN FRANKLIN GILBERT

THROUGHOUT THE COURSE of the Civil War the Confederate states looked gingerly toward the Pacific, aspiring primarily to capture California gold ships and to ravage the important United States whaling industry. If the Confederacy had gold, her weak finances could be bolstered; and if the North had less whale oil, perhaps the productive capacity of her war machine could be diminished. In the Pacific Coast ports of Panama, San Francisco, and Vancouver, Confederate agents and sympathizers plotted to outfit privateers to accomplish these ends, but none of the plots succeeded. Actually the only depredations committed upon United States shipping in the Pacific occurred in the final phase of the war, when the C.S.S. "Shenandoah" sank four whalers at Ascension Island in the Carolinas on April 1, 1865, and then perpetrated additional havoc in the North Pacific and Arctic after the war.

The Confederate Navy Department initiated its supreme effort in the Pacific when it enlisted Thomas E. Hogg, an erstwhile resident of New Orleans, to capture Panama steamers plying between San Francisco and the Isthmus. An adventurer, Hogg had served briefly in the Confederate Army as a lieutenant and adjutant of the Second Regiment of the Arizona Brigade.<sup>1</sup> In April, 1864, he was appointed master's mate in the Confederate Navy.<sup>2</sup>

<sup>1</sup> Special Order No. 81, February 21, 1863, Hdqts., Dist. of Tex., N.M., and Ariz., in *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington, D.C.: Government Printing Office, 1880-1901), Ser. I, Vol. 50, Pt. 2, pp. 332-33; hereinafter cited as *O.R.*, followed by the series number in Roman numerals, the volume in Arabic, the part number (if any), and the pages, as *O.R.*, I, 50, pt. 2, pp. 332-33. At times Hogg used the aliases Edgerton, Egenton, and Essen.

<sup>2</sup> *Register of Officers of the Confederate States Navy, 1861-1865* (rev. ed.; Washington, D.C.: Government Printing Office, 1931), p. 90.

Prior to receipt of the appointment, Hogg had earlier acted on his own as a civilian in a military venture. In 1863 he devised a scheme to capture merchant ships by the simple expedient of organizing a party to board a vessel as ordinary passengers and then, when at sea, to overpower the crew and requisition the ship. The plan was approved by General Hamilton P. Bee, commanding Confederate forces at Brownsville, Texas, and Hogg went to work. He procured a ship's register blank from the local customs collector and crossed the Rio Grande to Matamoros, Mexico, where he enlisted a crew of five Irishmen.<sup>3</sup>

On November 16, 1863, the party boarded the American schooner "Joseph L. Gerrity," bound for New York with a cargo of cotton. Two nights later Hogg and his cohorts imprisoned Captain J. Nicholas and the crew. Once in command, Hogg changed the course and sailed southward. On the 26th the prisoners were left in a small boat off Cape Catoche along the isolated Yucatan coast. Thence the "Gerrity" proceeded to Belize, British Honduras, where Hogg entered her as the blockade-runner "Eureka." Here he sold the cotton and dismissed his associates. Eventually the original American crew reached the office of the United States consul at Sisal, Yucatan. Word of the incident was immediately communicated to Belize, where a United States commercial agent tried to have the Confederates arrested. Unfortunately, before British authorities could intervene, Hogg escaped to Graytown, Nicaragua; thence he crossed the country to the Pacific and journeyed south to Panama. From that place he sailed to Nassau and by May 3 was in Richmond, reporting his success to the Confederate Secretary of State, Judah P. Benjamin.<sup>4</sup>

On May 7, 1864, Stephen R. Mallory, Confederate Secretary of Navy, directed Hogg to enlist men in the navy and to proceed from Wilmington, North Carolina, to Panama. Instructions read as follows:

You will endeavor to strike a blow at the California trade and whalemens in the Pacific, and should you capture bullion, it is suggested that if no better means for shipping it to Europe offers, you place it in the hands of a British merchant of established character at Valparaiso. A French man-of-war might receive it on freight for France.<sup>5</sup>

<sup>3</sup> Thomas E. Hogg to Judah P. Benjamin, May 3, 1864, in *Official Records of the Union and Confederate Navies in the War of the Rebellion*, (Washington, D.C.: Government Printing Office, 1894-1922), Ser. II, Vol. 3, pp. 1111-12; hereinafter cited as *O.R.N.*, followed by the series number in Roman numerals, the volume in Arabic, the part number (if any), and the page as *O.R.N.*, II, 3, pp. 1111-12.

<sup>4</sup> Thomas Savage to Commodore Henry H. Bell, December 16, 1863, *ibid.*, I, 20, pp. 727-28; William Seward to Lord Lyons, January 19, 1864, in *Papers Relating to the Foreign Relations of the United States* . . . (Washington, D.C.: Government Printing Office, 1862-1934), 1864, Pt. II, p. 490; letter by C. A. Leas, February 12, 1864, *ibid.*, pp. 594-95; also see William M. Robinson, Jr., *The Confederate Privateers* (New Haven: Yale University Press, 1928), pp. 206-7.

<sup>5</sup> Stephen R. Mallory to Hogg, May 7, 1864, *O.R.N.*, I, 3, p. 356.

The *modus operandi*, as in the "Gerrity" capture, was to have a crew, disguised as passengers, board the American packet steamer "Salvador," or her consort the "Guatemala," at the port of Panama. Once at sea the selected vessel would be captured and armed, and the flag of the Stars and Bars raised. In the event the plan succeeded, Hogg was instructed to endeavor to communicate with Captain Raphael Semmes of the C.S.S. "Alabama" concerning the feasibility of joint operations.<sup>6</sup>

Subsequently, Hogg organized a crew of fifteen in Havana, Cuba, and administered an oath of secrecy to them.<sup>7</sup> His plans were carefully devised, but somehow Thomas Savage, the acting United States consul general at Havana, learned of the plot.<sup>8</sup> On October 3, Savage forwarded the information in a letter to Alexander R. McKee, United States consul at Panama:

I have information that a party under the leadership of Thomas E. Hogg of the rebel navy, are now on their way to Panama, bent upon the fulfillment of a long concocted plan for the seizure of our steamers running from that port to San Francisco.<sup>9</sup>

Meanwhile, Hogg and his men disembarked at Panama, having come from Havana via St. Thomas Island on the same steamer that carried Savage's letter.<sup>10</sup> In that letter Savage also told McKee that part of Hogg's group was to follow him at a later date; sixteen to twenty men were involved in the plot, Savage said. Hogg planned to take his trunk, with ordinary contents, aboard the steamer "Guatemala," and if it were not searched, the others were to go aboard with lead, powder, and pistols concealed in their luggage.<sup>11</sup>

On October 9 the War Department telegraphed intelligence about the plot to General Irvin McDowell, commanding the Department of the Pacific at San Francisco.<sup>12</sup> Twelve days later Secretary of the Navy Gideon Welles also alerted Admiral George F. Pearson, commanding the Pacific Squadron:

It behooves the vessels of your squadron to be vigilant and to watch Panama and other important points closely, with a view of aiding to frustrate the intentions of the insurgents.<sup>13</sup>

<sup>6</sup> *Ibid.*

<sup>7</sup> True copy of oath certified by Admiral George F. Pearson, *ibid.*, pp. 356-57.

<sup>8</sup> Hubert H. Bancroft, *Works* (39 vols.; San Francisco, 1882-1891), Vol. XXXIX, *Literary Industries*, pp. 257-58.

<sup>9</sup> Thomas Savage to Alexander McKee, October 3, 1864, "Letters Received from the Pacific Squadron, December 14, 1861-October 25, 1864, Acting Rear Admiral Charles H. Bell" (microfilm, The National Archives, Washington, D.C.), herein-after cited as P.S.L. (Bell).

<sup>10</sup> *New York Times*, December 4, 1864, from *Panama Star and Herald*.

<sup>11</sup> Savage to McKee, October 3, 1864, P.S.L. (Bell).

<sup>12</sup> Charles A. Dana to Irvin McDowell, telegram, October 9, 1864, *O.R.*, I, 50, pt. 2, p. 1008.

<sup>13</sup> Gideon Welles to George F. Pearson, *O.R.N.*, I, 3, p. 355.



Pearson replied that his own investigations indicated that once the Confederates had gained control of the "Guatemala," they intended to capture a steamer belonging to the Pacific Mail Steamship Company. Admiral Pearson assured Secretary Welles that he would

... of course use all legal means to render this nefarious attempt abortive, and on the Guatemala's being about to leave, shall proceed to sea with the Lancaster, and when three marine miles from the coast, shall take from the Steamer, the pirates and their effects, thus protecting the vessel from capture and preserving our commerce from the foul attempt upon it.<sup>14</sup>

In the meantime, Hogg and his men, not realizing their scheme had been uncovered, were active in Aspinwall. Hogg sojourned at the Aspinwall Hotel, where he encountered William Nelson, a commercial agent of the Panama Railroad Company. Hogg, feigning innocence, one day showed Nelson a fictitious letter allegedly from a friend in San José de Costa Rica. Hogg informed Nelson that he did not understand the letter and requested him to explain its contents. The letter as read by Nelson indicated that the supposed friend was a mine owner, who requested Hogg to ship him some blasting powder aboard the steamer "Salvador." Apparently Hogg thus hoped to get powder aboard the vessel, but Nelson knew at once that the letter was a fake, for he recognized the handwriting as Hogg's own and identical to that in the hotel register. Furthermore, the return address on the letter was only "San José" instead of the customary "San José de Costa Rica," used to distinguish that city from San José de Guatemala. Nelson also knew that gunpowder was a government monopoly in Costa Rica and could not be landed legally.<sup>15</sup>

Evidently, Nelson sent word to Admiral Pearson that Hogg was boarding the "Salvador" instead of the "Guatemala"; at least Pearson was aware of the fact, and when Hogg and six of his associates were ready to board the vessel at Panama,<sup>16</sup> the Admiral issued orders to Commander Henry K. Davenport, commanding the U.S.S. "Lancaster," to assign men to the merchant ship to protect the captain, the real crew, and the passengers. He also ordered Davenport to follow the "Salvador" in the "Lancaster" and to capture the Confederate sailors as soon as the two vessels were beyond the territorial waters of New Granada.<sup>17</sup> The log of the "Lancaster" for the eight-to-noon watch of November 10 related the preparations as follows:

<sup>14</sup> Pearson to Welles, November 2, 1864, "Letters Received from the Pacific Squadron, October 25, 1864-December 31, 1865, Acting Rear Admiral George F. Pearson" (microfilm, The National Archives, Washington, D.C., hereinafter cited as P.S.L. (Pearson)).

<sup>15</sup> *New York Herald*, December 5, 1864.

<sup>16</sup> *New York Times*, December 4, 1864, from *Panama Star and Herald*.

<sup>17</sup> Pearson to Henry Davenport, November 9, 1864, P.S.L. (Pearson).

At 8.20, started fire under the boilers. At 9.30 inspected crew at quarters & loaded the guns of 1st Division with 5 sec. shell.

Armed the Gig, 1st Whale Boat, 2nd & 3rd Cutter and sent them off on a secret expedition under command of Commander H. K. Davenport. At 11.40, got underway and proceeded out of the harbor.<sup>18</sup>

With a party of marines and sailors in the four armed boats, Commander Davenport went alongside the Pacific Mail Steamship Company's steamer "Sacramento." Captain David M. Cohen of the Marine Corps; William T. Proctor, Admiral Pearson's secretary; and Francis W. Rice and Alexander R. McKee, United States consuls at Aspinwall and Panama, respectively, were included in the expedition. Davenport had prearranged a set of signals with Captain Douglass of the "Salvador" whereby he would be warned the moment the pseudo-passengers went aboard. The Commander issued careful instructions and cautioned his men to seize every scrap of paper they might find when they searched the ship.

As soon as Hogg and his six accomplices boarded the "Salvador," the signal was hoisted and within a minute Davenport appeared on the vessel, with every officer and man taking his appropriate station.<sup>19</sup> All passengers were requested to go to the captain's cabin to have their tickets validated. After the examination, Davenport informed the passengers that he was a police officer, making a routine check. He emphasized the fact that the passengers were under the protection of New Granada and were free to leave the ship. Apparently the conspirators were still unaware that their plans were known, for they remained aboard. Then Commander Davenport ordered Captain Douglass to get underway and to overhaul the "Lancaster," which had previously left the port.<sup>20</sup>

Meanwhile, the "Lancaster" had been "steaming slowly off and on until 3.30 (p.m.), when the Str. 'San Salvador' came out." She kept on her "course out of the Bay at full speed, the 'San Salvador' following."<sup>21</sup> At 6:00 p.m. the "Salvador" was "close astern & following."<sup>22</sup> Aboard the "Salvador," Commander Davenport issued secret instructions to his men, and as he later reported: "I threw off all appearance of being an officer on board, on duty; conversed freely with everybody, and think, thereby, disarmed 'our friends'."<sup>23</sup> Unbeknown to them, the luggage of the Confederate sailors was searched by the Union agents, who un-

<sup>18</sup> Log entry, November 10, 1864, U.S.S. "Lancaster" (photostat, The National Archives, Washington, D.C.).

<sup>19</sup> Davenport to Pearson, November 12, 1864, P.S.L. (Pearson).

<sup>20</sup> *Ibid.*

<sup>21</sup> Log entry, November 10, 1864, U.S.S. "Lancaster."

<sup>22</sup> *Ibid.*

<sup>23</sup> Davenport to Pearson, November 12, 1864, P.S.L. (Pearson).

covered numerous documents, revolvers, ammunition, cutlasses, handcuffs, and Confederate flags.<sup>24</sup>

The next day the would-be pirates were summoned again to the captain's cabin and arrested. Commander Davenport described the capture to Admiral Pearson as follows:

At daylight the next morning, being some twelve miles outside the territorial jurisdiction of New Grenada [*sic*]<sup>25</sup>—on the broad bosom of the Pacific Ocean,—I ordered the Ensign to be hoisted, assembled all the passengers and *then* informed them that, in virtue of my commission, being *now* under the American flag, I desired the pleasure of the Company of several of them on board my ship.<sup>26</sup>

Upon their arrest the Confederates gave fictitious names, but their true identities were soon ascertained, for Davenport's men found Secretary Mallory's instructions and the loyalty oath, as well as documents indicating the share each "pirate" was to receive from the spoils. Most of the prisoners had British passports. For example, Edward A. Swain, a former Confederate midshipman who had been appointed acting master's mate by Hogg, had a passport from the British consul at Nassau.<sup>26</sup>

The prisoners were transferred to the "Lancaster," which stood into Panama early on the morning of November 11.<sup>27</sup> Admiral Pearson immediately forwarded all incriminating documents and Confederate flags to the Navy Department, and informed Secretary Welles that he would convey the "pirates" to New York by the first available ship. Their capture, he told Welles, should discourage similar plots.<sup>28</sup> Welles replied that the department was gratified by the quick arrest of the "desperadoes."<sup>29</sup> Subsequently, Pearson requested permission from José L. Colancho, President of the State of Panama, to transport his seven prisoners across the Isthmus. The Admiral assured Colancho that the conspiracy had been aimed at assailing the commerce of all nations,<sup>30</sup> and not just that of the United States. In reply, Colancho thanked Pearson for effectuating the apprehension outside the waters of New Granada but regretted that it was beyond his constitutional power to grant permission for the transit.<sup>31</sup>

<sup>24</sup> *Daily Evening Bulletin* (San Francisco), May 25, 1865.

<sup>25</sup> Davenport to Pearson, November 12, 1864, P.S.L. (Pearson).

<sup>26</sup> *Daily Evening Bulletin*, May 25, 1865; Swain served as a midshipman in the Confederate States Navy from October 31, 1861, until February 20, 1864; he was appointed acting master's mate on May 7, 1864.

<sup>27</sup> Log entry, November 11, 1864, U.S.S. "Lancaster."

<sup>28</sup> Pearson to Welles, November 12, 1864, P.S.L. (Pearson).

<sup>29</sup> Welles to Pearson, December 30, 1864, O.R.N., I, 3, p. 367.

<sup>30</sup> Pearson to José Colancho, November 11, 1864, P.S.L. (Pearson).

<sup>31</sup> Colancho to Pearson, November 13, 1864, *ibid.*

W. P. Marshall, an enlisted man serving aboard the flagship "Lancaster" at the time of the Hogg incident, later described rumors of a plot to torpedo that vessel while it lay at anchor in Panama. The rumors were taken seriously, he said, and a "torpedo fender" of spars was constructed to protect the ship's sides.<sup>32</sup> In addition to the "Lancaster," the "St. Mary's," awaiting to be relieved by the "Cyane," and the "Saginaw," preparing for a cruise in the track of Pacific Mail Company steamers, were also at Panama. Among other vessels of the Pacific Squadron the "Saranac" and "Farallones" were at Acapulco, the "Wateree" was at San Francisco, and the "Fredonia" was at Callao.<sup>33</sup>

On November 24 Admiral Pearson ordered Commander Davenport to visit all ports in Central America touched by the steamers "Salvador" and "Guatemala" and to arrest any "pirates" that might be found. This precaution was taken because several members of Hogg's original party were believed to have been stationed in the Pacific ports north of Panama so that they could furnish supplies for the captured "pirate" vessel. Even as early as November 6, Captain John M. Dow of the "Guatemala" informed the Commander of the Port of La Libertad, El Salvador, that a group of Confederates, in disguise as English engineers, were in the port.<sup>34</sup> Shortly afterwards, John Bradshaw and Thomas Reynolds, two of the Confederate sailors, were arrested in El Salvador on suspicion of being emissaries of ex-President Gerardo Barrios, but they were released upon proving that they were in the Confederate Navy. Pearson wrote Secretary Welles that the suspects had been released even though they had disclosed that "they were there with the intention of doing all the harm they could to American commerce!"<sup>35</sup>

When the news of the capture of Hogg and his six associates—the so-called Salvador Pirates or Pacific Pirates—reached New York, it created considerable alarm. The *New York Times* devoted three front-page columns to the incident, exclaiming:

One of the most important captures of the war—a capture that has saved the whole of our extensive commerce on the Pacific from destruction—has just been made in these waters.<sup>36</sup>

The Panama correspondent of the *New York Herald* envisaged a

<sup>32</sup> W. P. Marshall, *Afloat on the Pacific* (Zanesville, Ohio: Sullivan and Parsons, 1876), p. 33.

<sup>33</sup> Pearson to Welles, November 24, 1864, P.S.L. (Pearson).

<sup>34</sup> John M. Dow to Commander of Port, La Libertad, November 6, 1864; Davenport to Pearson, December 15, 1864, *ibid.*

<sup>35</sup> Pearson to Welles, December 5, 1864, *ibid.*, enclosing clipping from *Panama Star and Herald*, quoting *Faro* (El Salvador), November 21, 1864.

<sup>36</sup> *New York Times*, December 4, 1864; it is interesting to note that the Parisian newspaper *Moniteur Universel*, *Journal Officiel de l'Empire Français*, December 19, 1864, devoted nineteen lines to the "Salvador" affair.

possible consummation of the plot. The Confederates, he believed, would have obtained assistance in French and British ports in the Pacific, and, furthermore, California steamers would have had to remain in port or sail in convoy if the plot had succeeded. The correspondent then concluded:

And what would there have been to convoy them, pray? Will Rip Van Winkle Welles and his assistant, Mr. Fox, answer this question? This capture was what John Bull wanted; for he would then have put on a line of steamers between San Francisco and Panama and would have carried all the treasure on this side, as he has been carrying the majority on the other side since the capture of the *Ariel*. He would also have had the Central American route, and then our very dear friend, the *Englishman*, would have been perfectly happy.<sup>37</sup>

On December 15 Commander Davenport returned from his reconnaissance tour—made aboard the “*Guatemala*”—and reported to Admiral Pearson that the suspects had fled to the Atlantic coast. Some of the Confederate sailors, Davenport said, had been released after their arrests by claiming protection from the British consuls in Sonsonate and San Salvador.<sup>38</sup> On December 24 Pearson wrote Secretary Welles that a “few pirates” could easily capture a New York mail steamer in Aspinwall. Hence he requested an Atlantic convoy and predicted that such pirates,

baffled in their attempts to steal a Steamer on the Pacific Coast, . . . would not hesitate to capture one at Aspinwall, and before any force could be sent there from Panama, would be at sea.<sup>39</sup>

Meanwhile, Admiral Pearson had decided not to send the seven prisoners across the Isthmus for transit to New York inasmuch as the New Granada government objected.<sup>40</sup> Instead the “pirates” were transferred from the “*Lancaster*” to the “*Narragansett*,” and then to the “*Saginaw*,” which warship transported them to San Francisco Bay, arriving at Mare Island Navy Yard, on December 31, 1864. Since the navy yard did not have a suitable prison, the commandant, David McDougal, requested General Irvin McDowell to confine the prisoners in Fort Alcatraz.<sup>41</sup> On January 19, 1865, Secretary of State William H. Seward notified the Navy Department that he had asked the Secretary of War to transfer the prisoners to Alcatraz and to authorize a trial by military court-martial.<sup>42</sup> The trial did not take place, however, until four months

<sup>37</sup> *New York Herald*, December 5, 1864.

<sup>38</sup> Davenport to Pearson, December 15, 1864, P.S.L. (Pearson).

<sup>39</sup> Pearson to Welles, December 24, 1864, *ibid.*

<sup>40</sup> November 17, 1864, *ibid.*

<sup>41</sup> David McDougal to Welles, January 1, 1865, *O.R.N.*, I, 3, p. 367.

<sup>42</sup> William H. Seward to Welles, January 19, 1865, *ibid.*, pp. 367-68.

later because witnesses were not available and the original incriminating documents had to be forwarded from the Navy Department. Eventually the documents reached San Francisco, and the "Lancaster" arrived in port with the witnesses from Panama.<sup>43</sup>

On May 22, 1865, a military commission was convened by General McDowell and assembled in the United States Circuit Court at San Francisco. Colonel Edward McGary, Second Cavalry, California Volunteers, was selected as president; Edgar W. Hillyer, Fourth Infantry, California Volunteers, was appointed judge advocate; and one lieutenant colonel, three majors, and six captains comprised the remaining members.<sup>44</sup>

The following day the prisoners were arraigned and asked whether or not they objected to any members of the court. Both Hogg and Edward Swain protested that Captain Francis D. Todd was prejudiced against them. Todd apparently had been strict with the prisoners while serving as officer-of-the-day at Fort Alcatraz. The court overruled their objection, but Captain Todd, though denying bias, requested removal since the defendants disapproved of him. The prisoners were then asked by the court if they desired counsel, and Hogg replied that he wished to engage Frank M. Pixley, E. M. Goold, and John W. Dwinelle for the entire group.<sup>45</sup>

The Confederates were charged with "violation of the laws and usages of civilized war."<sup>46</sup> The specification briefly summarized the acts and intentions of the prisoners, indicating how they had boarded the "Salvador" in the guise of "peaceful passengers" for the purpose of capturing the ship and converting her into a commerce destroyer under the flag of the Confederate states. The accused refused to plead to the charge and specification, denying the jurisdiction of the military commission.<sup>47</sup> A plea of not guilty was therefore entered by the court so that the trial could proceed, and the judge advocate announced that Delos Lake, United States district attorney, would assist him with the prosecution.<sup>48</sup>

The *San Francisco Evening Bulletin* described this early stage of the trial as follows:

The prisoners were arranged on the bench against the spectator's railing, and appeared to take a deep interest in the proceedings. They are all young men, but with one or two exceptions do not appear to possess much mental or

<sup>43</sup> *Daily Evening Bulletin*, May 22, 1865.

<sup>44</sup> *Ibid.*, May 24, 1865; General Orders No. 52, Department of Pacific, June 27, 1865; O.R., II, 8, p. 674.

<sup>45</sup> *Daily Evening Bulletin*, May 24, 1865.

<sup>46</sup> General Orders No. 52, Department of Pacific, June 27, 1865, O.R., II, 8, p. 674.

<sup>47</sup> *Ibid.*

<sup>48</sup> *Daily Evening Bulletin*, May 24, 1865.



physical vigor. At the adjournment of the Court they were taken away in carriages with a mounted escort. The military character of the proceedings attracts quite a crowd of spectators.<sup>49</sup>

On the fourth day of the trial, with the lobby filled with spectators, the judge advocate called Admiral George F. Pearson as the first witness. He testified that after Captain Douglass of the "Salvador" had requested protection, he had ordered Commander Henry K. Davenport to capture the Confederates. Pearson was not cross-examined, and the second witness, Commander Davenport, was called to the stand. The officer told the court that he had assumed command of the "Salvador" outside the Bay of Panama. He related that while he had been searching the prisoners, Hogg had concealed a letter in the cushion of a chair. This letter, which contained orders issued to Hogg by Stephen R. Mallory, Confederate Secretary of Navy, was read to the court. Hogg's counsel objected to having the letter presented as evidence on grounds that there was no proof Mallory had signed the letter and that it had not been found on the person of the prisoner. The court readily overruled this objection.<sup>50</sup> On the next day, Captain William G. Morris, United States Army, was called to the stand. He stated that he was well acquainted with Mallory and had studied law under him and transacted business with him in Florida. Moreover, Morris testified that the signatures of the various documents were in the handwriting of Mallory. The defense counsel then admitted the genuineness of the papers and their possession by Hogg.<sup>51</sup>

During the sixth day of the trial, Captain David M. Cohen, United States Marine Corps, took the stand, and described the search of the prisoners' luggage:

... I found pistols, dirk knives, powder flasks, handcuffs, bottles and medicines; I also attached a satchel belonging to Capt. Hogg, containing gold; in that satchel I found a pair of derringers; in the carpet bag of one of the prisoners I found a Confederate flag. . . .<sup>52</sup>

The testimony against the defendants appeared overwhelming; even Alexander R. McGee, United States consul at Panama, had been sent to San Francisco to testify.<sup>53</sup> The defense could not deny the facts, but now strove to protest the charge, the interpretations of the specification, and the jurisdiction of the court. E. L. Goold, opening for the defense, contended that the specification did not sustain the charge of virtual piracy. He argued that the actions of the Confederate sailors was allowable as

<sup>49</sup> *Ibid.*

<sup>50</sup> *Ibid.*, May 25, 1865.

<sup>51</sup> *Ibid.*, May 26, 1865.

<sup>52</sup> *Ibid.*, May 27, 1865.

<sup>53</sup> *Ibid.*

stratagems of war and did not violate the usages of war. Goold further asserted that the prisoners had already given up intentions of capturing the "Salvador" prior to the boarding by United States marines and sailors from the "Lancaster."<sup>54</sup>

Frank M. Pixley, associate counsel for the defendants, followed Goold and presented similar arguments. In addition, he claimed that the arrest was actually made in the Bay of Panama, and outside United States jurisdiction, and that if any offense had been committed, it was against the state of Panama. Pixley argued that there had been no real offense and that it was against common law principles to punish for mere intention when no overt act had been committed. The counsel also condemned the conduct of the trial and asserted that the defense had had to sit "dumb" during the proceedings. Then he created a sensation in the courtroom<sup>55</sup> by making the following slanderous statement about Commander Davenport:

Perhaps, although we are prisoners, we may congratulate Henry Kellock Davenport, Esq., of Georgia, Commander of the ship of war "Lancaster," carrying forty-four guns, that he met that flag in the trunk of a betrayed prisoner, rather than flying at the masthead of a Confederate man-of-war.<sup>56</sup>

Upon the conclusion of Pixley's arguments, the judge advocate replied to the defense's statements, labeling them fallacious.<sup>57</sup> He was followed by Delos Lake, the United States district attorney, who riddled the defendant's arguments one by one. The prisoners contended, according to Lake, that they could disguise themselves as peaceful passengers, embark on a pretended journey aboard a United States merchant ship, and then "slay the master, crew, and passengers, and destroy the ship."<sup>58</sup> Lake called the proposition a "bold and startling one" and stated that if it were maintained, Confederates could be sent to ports and cities anywhere to commit any conceivable atrocity. Assailing the argument that no overt act had been committed, Lake cited *United States v. Greathouse, et al.*, the famous "Chapman" case involving Confederate privateers, which had been tried in San Francisco in October, 1863. The precedent in this case was that, despite the failure to sail the vessel, mere preparations for outfitting it constituted an alignment with the rebellion and the commitment of treason.<sup>59</sup>

<sup>54</sup> *Ibid.*, June 2, 1865.

<sup>55</sup> *Ibid.*

<sup>56</sup> *Speech of Delos Lake, Esq., U.S. District Attorney, on the Trial of Hogg and Others before a Military Commission at San Francisco, June, 1865* (San Francisco, 1865), 15.

<sup>57</sup> *Daily Evening Bulletin*, June 7, 1865.

<sup>58</sup> *Speech of Delos Lake op. cit.*, pp. 3-4.

<sup>59</sup> *Ibid.*, pp. 4-5; Delos Lake was a counsel for the defense in the *Greathouse* case.

Regarding the claim that the offense had been committed within the jurisdiction of New Granada, Lake said, "In this the accused are as badly advised in their geography as in their law."<sup>60</sup> He related that the Bay of Panama was a gulf in the open sea and that the anchorage ground at Panama was an open roadstead. Lake cited several cases to prove that the waters where the arrest occurred were located upon the high seas. Thus he argued not only that the defendants were United States citizens in rebellion against their country but also that wherever they committed acts of hostility they were amenable to the nation's laws. Lake next quoted Mallory's instructions to Hogg, and commented:

Without a flag, therefore, this leader of the band, Hogg, and his six companions and followers, all in the treacherous and perfidious guise of peaceful travelers, were at a given signal, when the master, crew, and passengers were enjoying a sense of the most perfect security, to commence the slaughter—for the rebel Secretary says the capture must be effected *without fail*.<sup>61</sup>

Lake further argued that the conflict was a public war carried on by naval or military organizations and that it was not a strife among individuals. He endeavored to establish that a belligerent could commission a ship as a privateer but could not commission individuals to steal a vessel for conversion into a privateer.<sup>62</sup> In their defense, the prisoners had cited Henry Wager Halleck on international law that "stratagems in war are snares laid for an enemy, or deceptions practised on him, without perfidy, and consistent with good faith."<sup>63</sup> Lake refuted their interpretation thusly:

But it is not stratagem for a passenger to rise upon the unsuspecting master of a merchant-ship, blow his brains out, manacle his crew, and take possession of the vessel. It is mutiny, robbery, murder.<sup>64</sup>

Lake concluded his presentation by censuring the bold and defiant attitude of the prisoners, who, before the court, had jeered at United States naval officers. He also reprimanded Attorney Frank Pixley for permitting himself to be used by the prisoners to insult a naval officer.<sup>65</sup> Lake's rebuke and his vindication of Commander Davenport were warmly approved both by the spectators in the courtroom and by the local press.<sup>66</sup>

At the trial's conclusion the prisoners were found guilty and sen-

<sup>60</sup> *Ibid.*, p. 6.

<sup>61</sup> *Ibid.*, p. 11.

<sup>62</sup> *Ibid.*, p. 12.

<sup>63</sup> *Ibid.*, p. 13.

<sup>64</sup> *Ibid.*

<sup>65</sup> *Ibid.*, pp. 14-15.

<sup>66</sup> *Daily Evening Bulletin*, June 7, 1865; *Daily Alta Californian* (San Francisco), June 6, 1865.

tenced "to be hung by the neck until they are dead at such time and place as the proper authority may direct."<sup>67</sup> General McDowell reduced Hogg's sentence to confinement for life in the California State Prison at San Quentin, and those of his six associates—John S. Hiddle, William L. Black, Tim J. Grady, Robert Lyons, Joseph Higgins, and Edward A. Swain—to terms of ten years each.<sup>68</sup>

On a later date, several petitioners applied for a pardon for Edward A. Swain, alluding to his youth as evidence of incompetence. But the petition was rejected by Joseph Holt, Judge Advocate General of the United States Army, who considered Swain's appointment as executive officer under Hogg an indication of maturity. In his decision of September 16, 1865, Holt declared:

The few months' confinement to which they have been subjected cannot be viewed as an approximation even to a just expiation of their crime; and to pardon them now or further mitigate their punishment would seem to manifest indifference or indulgence toward one of the most perfidious, cowardly, and atrocious crimes that marked the progress of the rebellion.<sup>69</sup>

Finally on May 3, 1866, the War Department notified General Henry W. Halleck, commanding the Division of the Pacific, that President Andrew Johnson had ordered the release of the "so-called San Salvador pirates."<sup>70</sup> Hence, after a year's incarceration, Thomas E. Hogg and his associates were released. Hogg remained in California, and in 1879 he was co-author of an engineering report published in San Francisco.<sup>71</sup> Thomas Savage, the United States consul at Havana who originally unearthed Hogg's scheme also settled in San Francisco. He became an employee of the Western historian Hubert Howe Bancroft, and was himself an expert on California history.<sup>72</sup>

The "Salvador" plot in which these men had been principals, was a unique attempt on the part of the Confederate government to operate in the Pacific for the purpose of capturing California gold shipments. It

<sup>67</sup> General Orders No. 52, Department of the Pacific, June 27, 1865, O.R., II, 8, p. 674.

<sup>68</sup> *Ibid.*, p. 681; Brainerd Dyer, "Confederate Naval and Privateering Activities in the Pacific," *Pacific Historical Review*, III (1934), 442; a letter to the writer from Judson C. Osborn, historian of the California State Prison at San Quentin, May 20, 1940, was the only source located that gave the names of Hogg's associates; during their imprisonment they were designated by the prison numbers 3082 to 3088.

<sup>69</sup> Report of Joseph Holt, September 16, 1865, O.R., II, 8, p. 753.

<sup>70</sup> D. E. Townsend to H. W. Halleck, May 3, 1866, *ibid.*, p. 905.

<sup>71</sup> Thomas E. Hogg and Isaac W. Smith, *Report to the Board of Engineers for the Pacific Coast on the Advantages of Yaquina Bay as a Site for a Harbor of Refuge* (San Francisco, 1879).

<sup>72</sup> Bancroft, *op. cit.*, pp. 255-59, 470-73, 523-29; Thomas Savage, *Report of Labors on Archives and Procuring Material for History of California, 1876-79* (MSS, Bancroft, Library, University of California).

caused considerable alarm and alerted the Pacific Squadron to be on guard for Confederate privateers and "pirates." The court-martial decision against the plotters had been rendered to discourage similar ventures. If the plot had been successful, the Confederacy could probably have impeded Pacific Coast shipping, at least for a time. The discovery and prevention of the Confederate plan was a tribute to the vigilance of both the State and Navy departments. The primary mission of the United States Navy Pacific Squadron to protect the California treasure ships was again fulfilled as it had been in the case of the Chapman "pirates" in 1863.<sup>73</sup>

<sup>73</sup> Benjamin F. Gilbert, "Kentucky Privateers in California," *Register of the Kentucky Historical Quarterly*, XXXVIII (July, 1940), 256-66; also see author's article, "Rumours of Confederate Privateers Operating in Victoria, Vancouver Island," *British Columbia Historical Quarterly*, XVIII (1954), 239-55.

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## Notes & Queries

EDITED BY BOYD B. STUTLER

517 Main Street  
Charleston, West Virginia

THIS DEPARTMENT IS DESIGNED as an open forum for researchers into Civil War themes and for readers of *Civil War History* in general. It is open for questions on and discussions of phases of the Great Conflict and its personnel. Also, we welcome notes on newly discovered, little known, or other sidelights on the war. Contributions are invited; address Notes and Queries Editor.

### QUERIES

No. 56—*Colonel Chew's History of the Horse Artillery:*

In my miscellaneous collection of material on the Confederate artillery I have the following letter written by Lieut. Colonel Roger Preston Chew, CSA:

CHARLES TOWN, W. VA., Nov. 22, 1918

Mr. John R. Zimmerman  
Alexandria, Va.

Dear Sir: I have your interesting favor of Nov. 16 and am sorry to say in reply I have not made any headway in writing the history of the Horse Artillery.

I have been sick a good part of the time this year, and my business engagements are such that it is almost impossible for me to give any time or thought to this matter, but I have the material and hope to set to work on it in the near future. And I appreciate the importance of someone giving an account of the career of the several batteries that belonged to that remarkable branch of the service.

Yours very truly  
R. P. CHEW

I have no record of any such book ever appearing in print, though perhaps I am not too well informed here in England. If published, I would like to have details; if not, was a manuscript ever in existence, or has the material mentioned in the letter been preserved?

*Query:* Can any reader of *Civil War History* furnish information about Colonel Chew's history, printed or in manuscript?

*Patrick C. Courtney.*

*Answer in part:* So far as known, Colonel Chew's history of the horse artillery of Stuart's cavalry and the Army of Northern Virginia was never completed. It is possible that his notes and manuscript, so far as written, have been preserved. Colonel Chew published one small booklet: *Stonewall Jackson: Address delivered at Virginia Military Institute on the unveiling of Ezekiel's Statue of General T. J. Jackson*, (Lexington, 1912).

Roger Preston Chew was born April 9, 1843; graduated from Virginia Military Institute, 1861; with classmates organized a battery of horse artillery, CSA service, known as "Chew's Battery"; elected captain; after hard service promoted to lieutenant colonel and made Chief of Artillery, Stuart's cavalry command; later in command of all the horse artillery in the Army of Northern Virginia. Returned to his home near Charles Town, West Virginia, at end of war; married Louise Fontaine Washington, 1871, daughter of Colonel John Augustine Washington, last of the name to own and reside at Mount Vernon, historic Washington home (Washington, as Lee's aide-de-camp, was killed early in the war). Colonel Chew represented his country in the West Virginia Legislature; led an active business life. Died March 15, 1921.

*No. 57—Major Henry Zarah Curtis, Baxter Springs Massacre:*

In October of 1863, Major Henry Zarah Curtis was killed in a surprise attack by Quantrill and his guerrillas on General James G. Blunt's train enroute from Fort Scott to Baxter Springs, Kansas. Major Curtis was a son of General S. R. Curtis, of Keokuk, Iowa, and was Assistant Adjutant General to General Blunt. His father, General Curtis, commander of the Kansas Military District, established a small fort at the Walnut crossing of the Santa Fe Trail, and named it Fort Zarah in honor of his son. I understand Major Curtis was in the banking business in Keokuk about 1856, then moved to Nebraska, probably entering the Army for Civil War service from that state.

*Query:* Can any one tell me about Major Curtis' civil and military life? Also, where can I obtain a copy of a picture of this officer?

*Ray S. Schulz.*

*No. 58—Civil War Records Stored in Hawaii:*

Recently I was discussing the Civil War in a casual way with a former member of the 21st Infantry, R.A., who was stationed in Honolulu just prior to the outbreak of World War II. He recalled that in the Quarter-

master's warehouse at Schofield Barracks there was a quantity of Civil War rations. "I think they were marked hardtack and also beef," he said. He further mentioned an Army Form No. 1 in huge quantities, all dated of the Civil War era, which was evidently a daily morning report to be filled by officers. He recalls reading them for lack of much else to do, and found them very interesting. At times, he said, he would transfer them around and file them. I could not believe the story, but he insists that it is true and he has no reason, as far as I can see, to make it up.

*Query:* Assume this story is true—how did this material ever get out into the Pacific islands? And—can any other G.I. confirm this by stating that he was there and saw the records also?

Warren A. Reeder.

### ANSWERS

No. 43—*Mary Owens, Alias John Evans, Combat Soldier:*

After a long time-lag, the query of Jack Feeley (December, 1957) about the service of Mary Owens, combat soldier and wounded in action, is completely answered by H. E. Matheny, of Akron, Ohio, who found the record in a feature piece in the *Akron Beacon-Journal* under the title "Love Took Her to War."

As reconstructed, her story runs as follows: The family home was at Broad-top, Huntington County, Pennsylvania, at the out-break of the Civil War. Mary Owens was in love with William Evans, but the match was opposed by her father. When William Evans enlisted for service in the Union Army, Mary went to Danville, Montour County, where she enlisted under the name of John Evans. Both were assigned to Company K, 9th Pennsylvania Volunteer Cavalry. She served in the outfit for eighteen months by the side of her lover, and managed to keep her sex concealed until the Battle of Gettysburg, where William Evans was killed in the fierce fighting and John Evans was wounded—her second wound in action. On being taken to a hospital for treatment the fact that John Evans was a woman was revealed—and her career as a soldier came to an end.

After the end of the war, Mary Owens—or Mary Evans—married Abie Jenkins and settled in North Lawrence, Ohio, a Welsh settlement and coal mining area near Massilon, where a grandson, William H. Jenkins, still lives. She is recalled in that area as "a wonderful woman" who possessed a fine singing voice. The date of her death is not recorded on the memorial stone placed at her grave, which bears the following inscription: "Mary Owen Jenkins, served in the Civil War 1861-1865 in Co. K, 9th Penn. Vol. Cav. under the name of John Evans." At the bottom is a further inscription: "Erected by Daniel Ritter Camp 93, Sons of Union Veterans of the Civil War. 1937."

*No. 53—Confederate General Shot at Long Range:*

Lieutenant Colonel Norris K. Maxwell, Toledo, Ohio, replies to the query posed by Robert M. Debevec, (June, 1959), in reference to a long-range rifle shot made by Captain John Metcalf, 3rd, killing a Confederate general. Says Colonel Maxwell: "I have found mention of this incident in the *Muzzle Loading Cap Lock Rifle*, by Ned H. Roberts (Clarke Press, Manchester, New Hampshire, 1944). His source was the same as that of Mr. Debevec, but I shall quote his comment: 'Some of these machine rest rifles have shown remarkable accuracy at extremely long ranges—a mile or more as surveyed, not guessed at. According to the late Charles Winthrop Sawyer, the War Department records at Washington show that during the Civil War, Captain John Metcalf, 3rd, of the U.S. Army Engineer Corps, using one of these extremely heavy, super-accurate machine rest rifles, which was shot from a camouflaged blind on the top of a high hill, picked off a Confederate general at a range of one mile, one hundred and eighty-seven feet with the first shot. This range had, of course, been ascertained by triangulation by our engineers before the shot was fired, and the angle of elevation was found to be 87 degrees, 57 minutes, 8½ seconds. Therefore, Captain Metcalf knew exactly what elevation was required, but the deflection and retardation of the bullet by wind and atmosphere over that very long range had, of course, to be very carefully estimated. No one knows the important effect of that one shot on the future events during that battle. A full account of this may be found on pages 91 to 102 of Sawyer's book, *Our Rifles*, by those who wish to read of the particulars of this matter. The rifle used by Captain Metcalf in this case was made by Abe Williams, Oswego, N.Y., as stamped on the barrel, and weighed between 50 and 60 pounds. I saw this rifle with a copy of the War Department record on exhibition some years ago and I am quite sure it was 50 calibre. The bullet used in it was a long cylindrical, composite one with three-strip paper patch. The telescope was said to have been made by Morgan James, but was not marked with the maker's name.'"

## NOTES

*Southern Propaganda Printed inside Envelopes:*

Dr. Avery Craven, of the University of Chicago, contributes a very interesting note about a form of Southern propaganda printed on the inside of envelopes, and thus concealed when sent through the mails. Dr. Craven writes:

"Several years ago I came into possession of a number of Civil War letters written from Alabama to a friend in Tennessee. In running through some of these letters recently I discovered that there was printing on the inside of the envelopes. Opening one of these up I found that

it consisted of a rather interesting appeal to the soldiers of the Northwest, and was, in fact, a sheet intended for propaganda purposes. I do not know whether it was a case of scarcity of paper or a way of scattering the appeal. Since the date on some of the envelopes was as early as 1862, I would guess it was the latter. Paper was not short in this part of Alabama that early." The appeal, signed The South, printed on the inside is as follows:

*Soldiers of the Northwest*

You are fighting your best friends, the purchasers of the products of your farms, your workshops, your mines—fighting those who have paid, and are still willing to pay you, millions yearly for your labour. You are spilling your blood for the navigation of the Mississippi, whilst we are anxious that you should freely use it without money and without price; and should transport to us your articles of commerce, and receive from us, in return, our sugar and molasses, our cotton and gold.

Soldiers! you are fighting the battles of the abolitionists, who are striving to create a servile insurrection—to destroy us, your best customers, and to take to your home our slaves, there to underbid you in all employment. They would increase competition in labour amongst you, would diminish the purchasers of that labour, and would thus compel you to sell to them alone at prices that will starve you, whilst by their high tariffs, they will compel you to purchase their manufactures at exorbitant prices.

They are forcing you to fight your battles—to separate from loved ones at home—to undergo all the horrors of war, whilst they plunder your public treasury and revel in ill-gotten wealth.

Soldiers! you believe that men should enjoy the blessings of self-government; why will you invade our soil to seek to destroy us, because we wish to govern ourselves, to live at peace with you, and by mutual commerce promote your welfare as well as ours?

Men of the Northwest! pause and think before you strike again your best friends.

Missourians! Kentuckians! your government is trying to place you on a level with slaves,—compelling you to fight by their sides against your brethren of the South, and to entail on them, upon your noble country women and their children, all the horrors of war with slaves.

Men of the land of Boone, stop and think. Soldiers! your pecuniary interests and your principles bid you stop and think. The voices of the loved ones call you home.

*The South.*

Inquiry was made to Van Dyk MacBride, Newark, New Jersey, an eminent authority on Confederate postal propaganda and one of the editors of the revised Dietz *Confederate Catalog and Handbook*, soon to be published, about the discovery made by Dr. Craven. Mr. MacBride writes:

"Dr. Craven's covers with Southern propaganda printed on the inner side is indeed quite new to me. If such envelopes were deliberately prepared for propaganda purposes, they would represent an entirely new

and highly interesting bit of history. The only theory for them which I could advance now would be that they were homemade envelopes made up from a supply of printed sheets of such propaganda. . . . However, that would certainly not destroy the interest in the covers, for I have never heard of any such "propaganda" forms being printed in the South. Also, if the printing was arranged so as to identify it as having been made purposely for the production of envelopes, then they would be even more interesting."

*The Battle to Save Gettysburg and Antietam:*

Alarmed by the encroachments of commercial developments, Civil War Round Tables have bombarded members of Congress to provide funds for the purchase of lands as additions to the National Military Park at Gettysburg and Battlefield Site at Antietam. The budget item, including \$750,000 for Gettysburg, was struck out by the House Appropriations Committee; now the effort, approaching a crusade, is to have the money restored and the areas cleaned up before the beginning of the centennial year in 1961. Influential newspapers have joined in the fight, and *Parade*, a syndicated Sunday magazine distributed by sixty-two newspapers with a combined circulation in excess of nine millions, has carried on a continued campaign to save the battlefields.

*Gettysburg College Holds Second Civil War Study:*

The second annual Civil War Study Group, sponsored by Gettysburg College, labored through five days of study and lectures, August 2-7, in an effort to find the answers to such questions as: "Who 'chose' the battleground at Gettysburg on July 1, 1863—Winfield Scott Hancock? Oliver O. Howard? Henry Heth? A. P. Hill? Was General Longstreet guilty of untoward delay, bad judgment, or something worse at Gettysburg on July 2, 1863? Was the great infantry charge at Gettysburg on July 3, 1863, led by Pickett's division, hopeless and doomed from the start? John Brown, was he a dedicated saint or an insane fanatic at Harpers Ferry, Virginia, on October 16, 1859? What was the strategic importance of Harpers Ferry in the Antietam campaign of September, 1862? Dr. T. Harry Williams, of Louisiana State University, delivered three lectures on the development of the command system; others participating in the programs were Dr. Frederick Tilberg and Dr. Harry Pfanz, of the Gettysburg National Military Park; Colonel Don H. McGovern, Army War College; and Herbert Kissling, Historian of the Harpers Ferry National Monument.

*Civil War Centennial Planning Groups:*

According to a bulletin issued by the Civil War Centennial Commission at Washington, twenty-nine states have organized centennial com-



missions to map out programs as a part of the nationwide observance scheduled to begin in 1961. Legislation is pending in nine other states. In West Virginia, where the first land battle of the war was fought on June 3, 1861, the Legislature at its recent session failed to enact the legislation necessary to create such a commission. However, the West Virginia Historical Society has set up a Civil War Centennial Committee and, in co-operation with local and state officials, will take a leading part in planning the observances. Chairman is Dr. E. E. Myers, who is also chairman of the group planning the centennial program at Philippi, site of the first land battle.

*The "Hunley"—Ill-fated Confederate Submarine:*

[Contributed by Dr. Berry Bowman, Albany, Georgia]

As far as the author can determine, the Confederates developed the first submarine to be used in naval combat, just as they did the first ironclad. This remarkable little boat was named the "Hunley," although it seems to be frequently confused with a torpedo boat, the "David." There seems to be some possibility that the prototype of the "Hunley" may have been called the "David," although this has not been confirmed.

In 1902 there appeared an article in the New Orleans newspaper *Picayune*, to the effect that visitors to Spanish Fort could see still lying in the weeds and flowers of Bayou St. John, a "rusty vessel of strange shape." This relic was about 20 feet long, with a propeller at its stern and metal fins attached to its hull. Actually, it was the first attempt of the Confederates to build a submarine, but before work had been completed, the City of New Orleans fell to Admiral Farragut, and the Southerners had dumped the strange little craft into the waters and weeds of Bayou St. John to prevent the Federals from investigating it and perhaps making one of their own.

The inventors of this submarine were a Captain Hunley (for whom it was named), Captain James McClintock, and Mr. Baxter Watson. These gentlemen immediately decamped to Mobile, Alabama, where they began at once to manufacture another one at the machine shop of Messrs. Parks and Lyon of Mobile. In this, they were ably assisted by Mr. W. A. Alexander and Lieutenant George E. Dixon, who were members of Company B, State Artillery, Alabama Regiment, and who were working "on loan" to Parks and Lyon by the military.

The second submarine constructed was 25 feet long, 5 feet wide, and 6 feet in depth. It was tapered at both ends and was originally intended to attack the Federal fleet then blocking Mobile Bay. However, on the first attempt to tow it out into the bay, it was swamped in rough water off Fort Morgan and sank. Fortunately, no lives were lost.

The builders were not to be discouraged and immediately began to build another, which is the one of our present narrative and which, as has been said, was christened the "Hunley." Using a cylinder boiler 25 feet in length and 4 feet in width, which happened to be available in Mobile, the inventors cut this in half lengthwise and inserted two boiler strips 12 inches in width, thus making the interior 25 feet by 4 feet by 5 feet. Fore and aft castings were attached, giving a cylindrical shape and increasing the length of the craft to about 30 feet. A catwalk-type of iron strip 12 inches wide was attached full length to the top of the submarine, and at each end within the strange craft, bulkheads were constructed to be used as ballast tanks. Unfortunately, as will be seen later, those bulkheads did not completely go from deck to ceiling and, in actuality, amounted to two large "containers," one at either end, into which water was admitted by sea valves to cause the ship to sink and from which it was pumped to allow her to rise to the surface. Flat castings were attached to the bottom of the boat for further ballasting. These were attached by "T" bolts that passed through stuffing boxes into the interior, where the inside end of the bolt had been squared to fit a wrench. In this manner they could, in emergency, be loosened from the inside and dropped off to increase buoyancy of the boat. The force pump used to empty the water ballast was also attached to a bilge for keeping the craft dry, if necessity arose.

A mercury gauge, attached to the shell near the forward tank, was open to the sea and provided a means of determining the depth at which the submarine lay when submerged. Metal fins, 5 feet long and 8 inches wide, were attached to the outside of the craft, ending just forward of the propeller. These were elevated or depressed by means of a 1½-inch shaft which passed through stuffing boxes to the interior of the hull, passing forward to a control lever to be operated by the First Officer. As can readily be seen, the submarine could thus be caused to go downward or upward by pushing the lever forward or pulling backward. When under way, the craft could be submerged or brought up in this fashion without disturbing the level of the water ballast although, while idle, she could only rise to the surface by use of the pumps. The rudder was controlled by a wheel attached to a rod passing to the outside in the same fashion as the one controlling the fins.

Motive power was strictly manual and furnished by all hands except the First Officer forward, who must direct the course. This "power" was transmitted to an ordinary propeller, whose shaft also pierced the hull through stuffing boxes. The propeller was attached by brackets to the starboard side of the hull. This shaft had eight cranks, at different angles. Thus, the crew sat to port side and "cranked" the shaft, furnishing sufficient power to give a speed of about four knots when in smooth

water! The propeller was protected against intended or accidental fouling by an iron ring or band encompassing it.

The interior was attained by two hatchways, one fore and one aft, which were 16 inches by 12 inches and had a combing of 8 inches. Glass was inserted into the front and sides of these combings to furnish a sort of dim light within the hull when the craft was not submerged and through which the officers could peer. The tops of the hatches were hinged and fitted with rubber gaskets. They could be bolted shut from the inside only.

On top of the submarine was fitted an "air box" of casting whose dimensions were 12 by 18 by 4 inches. It connected with the interior by a hollow shaft to which was attached, on each end, an elbow with a 4-foot length of 1½-inch pipe, equipped with stopcocks to admit air as desired—when possible! An adjusted compass completed the mechanical equipment; this also was attached to the forward bulkhead. When submerged, illumination was furnished by a candle!

This little submarine was armed with a torpedo which was a copper cylinder charged with 90 pounds of powder to be exploded on contact by means of a percussion and friction primer mechanism. The triggers flared out from the forward end. This torpedo was originally towed on a 200-foot length of cable, but on practice runs it was found that it had the disturbing feature of catching up with the sub. This danger was remedied by attaching a 22-foot pine boom to the submarine, allowing the torpedo to be socketed to the boom.

The procedure was, of course, to select a victim, submerge the sub, loosen the torpedo to its towing line, pass under the victim dragging the charge, and come up on the opposite side, thus causing the torpedo to hit the target and explode on contact. Experiments were carried out in this manner on old barges in Mobile Bay and found to work quite successfully.

In operating the submarine itself, the First Officer forward steered and handled the craft, the Second Officer attended to the after tank, pump, and air supply, and also assisted the seven crew members at the cranks. The two officers could stand in the hatchways with bare head-room and make observations through the combing lights when not submerged. When ready to proceed, hatches were battened down, candle lighted, and water ballast taken in to the point where the hull was about three inches submerged. The seacocks were then closed, and the boat gotten underway. As has been said, when in motion, the craft could be made to sink or rise by use of the fins alone.

It was soon decided that this submarine was not suitable for use at Mobile, and it was placed on a flatcar and taken to Charleston, South Carolina, which was then the station of General P. T. Beauregard. On

arrival at Charleston, the sub was put under command of Lieutenant John Payne, C.S.N., and eight volunteers.

Lieutenant Payne's experience with the "Hunley" was far from auspicious. On the first attempt to take her out, and with the eight men aboard, a wave swamped the boat before the lieutenant could get in and she sank, drowning the eight crewmen. The craft was then raised and again, Lieutenant Payne attempted to take her out with the same result. This time, six men drowned, the lieutenant and one other miraculously escaping. This dampened Payne's ardor for the "submarine service," and he "tossed in the sponge."

General Beauregard then turned the submarine over to its inventor, Captain Hunley, and Mr. Thomas Parks of Parks and Lyons. These men brought a volunteer crew from Mobile to run the boat. Hunley, Parks, and their Mobile crew took the submarine out numerous times into the river where they made practice dives repeatedly and successfully—that is, until on the last occasion, when, in the presence of a number of horrified onlookers, the "Hunley" suddenly sank with a loss of all aboard.

W. A. Alexander and Lieutenant Dixon (who have been mentioned before), who had taken part in the construction of the "Hunley," then begged General Beauregard to be allowed to raise the craft once more. They maintained great faith in her and finally succeeded in getting permission to bring her up and operate her once more. The general, however, imposed the obligation on them of making known to all volunteers the unhappy history of the boat before signing them on.

Alexander and Dixon actually succeeded in getting a new crew. The "Hunley" was raised, and the cause of her most recent sinking carefully investigated. On bringing her up, it was found that the hatches had been secured. The corpses of Captain Hunley and Thomas Parks were found standing in the combings when the hatches were opened. A gush of foul air immediately issued from the hatchways, indicating that the two controlling officers had suffocated and not drowned. Each dead man had one arm above his head, as if attempting to open the hatches; in the other hand of Captain Hunley was found an unlighted candle. The sea valves were found to be open. Alexander was of the opinion that Captain Hunley had become so familiar with the ship that he had absent-mindedly dived her too suddenly, and as she went under surface the sudden darkness made it impossible for him to see to light the candle. Therefore, the seacocks could not be seen to close them. Water had overflowed the bulkheads forming the ballast tanks, filling the ship, drowning the crew, and compressing the air within the hull into the conning towers where the two officers had suffocated. Their attempts to open the hatches from within had been in vain because of the

weight of water outside. Thus, the fatal dive was attributed to what we call today, "pilot error," and not mechanism.

Alexander and Dixon and their crew now took the "Hunley" out into the river at Charleston and made practice dives almost daily. On one occasion, they and the crew decided to see how long they could remain submerged, agreeing to bring the boat to the surface whenever any man should cry out "enough." As no one wished to be the first to yell "uncle," they all kept silent until with one voice, *all* said to surface! They had checked watches and, incredibly, had stayed below for two hours and five minutes after the candle had gone out—or a total time of two and one-half hours! This time was by actual check with watches, and some who had seen the boat go down had already come to the conclusion that this was another fatality!

In February of 1864, Alexander was suddenly ordered back to Mobile to make guns, and Lieutenant Dixon was left in charge. This officer was continually looking for a suitable night to attack a Yankee warship in the blockading squadron. A moonless night was most desirable, as the "Hunley" could proceed on the surface without fear of being sighted until within attack range. In this manner, they could also have adequate ventilation. However, as foul weather alternated with moderate, through the month of January and early in February, 1864, it seemed that a "good" night would never come. Finally, in desperation, Lieutenant Dixon took the "Hunley" out on the night of February 17, 1864, even though there was a moon shining. On approaching the blockade, he picked out the "Housatonic," a 1240-ton screw steamer, sloop-of-war that had cost the Federal government \$231,526.71. The ship had a length of 207 feet, beam of 38 feet, and loaded draft of 9 feet, 7 inches, aft. Unfortunately, for the Southerners, the Officer of the Deck sighted their dim shape on the sea just before the submarine dived, and he gave a general alarm. The engines of the "Housatonic" were reversed, and she started backing. However, the "Hunley" passed under the warship, and her torpedo struck the Yankee vessel, blowing off the stern. She sank within three minutes. The ill-fated "Hunley" evidently must have been injured in the explosion, as she never came up. When Charleston harbor was being cleared of wrecks after the end of the war, the courageous "Hunley" was found on the bottom of the ocean about one hundred yards from its victim.

This ended submarines for the War between the States. None other was attempted, or if it was, the fighting ceased before it could be used.

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# The Continuing War

EDITED BY JAMES I. ROBERTSON, JR.

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JOHN ESTEN COOKE WAS THE MOST famous novelist to serve in the ranks of the Confederate armies. Appointed to Jeb Stuart's staff early in the war, this professional writer proved such a competent officer that he was promoted to captain and was twice cited for gallantry by Lee's cavalry chief. Cooke became completely imbued with the sacredness of the Southern cause, and he retained this spirit long after the last Springfield had spit its death-dealing pellet. Although he gained considerable fame with laudatory biographies of Jackson and Lee, Cooke's high literary reputation rests on a series of novels revolving around war themes. Foremost among his stories are *Surry of Eagle's Nest* (1866), *Mohun* (1869), *Hilt to Hilt* (1869) and *Hammer and Rapier* (1871). By the time of his death in 1886, he was considered one of the leading romanticists of the postwar South.

Always on the lookout for the dramatic and the spectacular, Cooke perhaps became too susceptible to myths and fireside tales, particularly if the story he heard enhanced the stature of a Confederate hero. Yet his pen pictures of Jeb Stuart, Nathan Bedford Forrest, and Turner Ashby are so skillfully drawn that no writer since has equally captured the glamour of these cavalry warriors. Cooke's *Wearing of the Gray*, originally published in 1867, is a series of sketches of these Confederate cavaliers. It is also the closest thing to an autobiography that he ever wrote. (Portions of his war diary were printed in the 1940 volume of the *Journal of Southern History*.) This sketchbook is undoubtedly the best of the many works that Cooke wrote, not because it is steeped in military history and strategy—which bored him, but because it contains the social and little things that he observed in such leaders as Jackson, Stuart, and Lee. Cooke had little interest in campaigns, unless they proved a reservoir from which he could extract unique and personal

nuggets. Because of his close observation of headquarters life, and his deep affection for Confederate stalwarts, Cooke's *Wearing of the Gray* is a polished work of color, drama, and, at least to the author, sincerity.

This fall Indiana University Press will release a new edition of *Wearing of the Gray*. Philip Van Doren Stern has annotated the reissue and added, in Esten Cooke fashion, the little things that give luster to the saga of the sixties. For a romantic treatment of the Confederacy and its champions, this book is unrivaled.

Two other works are slated for fall release in Indiana's Civil War Centennial Series. Richard Current has edited a new edition of John B. Hood's provocative *Advance and Retreat*. A. J. Hanna's *Flight into Oblivion*, the story of Jefferson Davis' desperate journey from Richmond to Georgia, will also be reissued. Incidentally, a well-known historian will soon embark upon the first scholarly appraisal of Davis' career as Confederate president. The riddle of the Southern sphinx has too long deserved a solution.

The widow of Frank Owsley has revised that distinguished historian's famous *King Cotton Diplomacy*. The University of Chicago Press has republished this classic on Confederate foreign relations. Kenneth P. Stampp has contributed a better insight into the background of our struggle with his *The Causes of the Civil War*, published in paperback form by Prentice-Hall. Also in soft covers is a new edition of Dwight Dumond's *Antislavery Origins of the Civil War in the United States*. Arthur Schlesinger, Jr., has written the foreword for this University of Michigan Press release. On the other side of the war, Vintage has republished Paul Buck's *The Road to Reunion, 1865-1900*.

Yoseloff has slated a fall release for its republication of *Dyer's Compendium*. Bell Irvin Wiley has written the new introduction for this work that should grace every collector's shelf. C. E. Dornbusch is now devoting full time to the preparation of the up-to-date edition of the *Bibliography of State Participation in the Civil War*. The Blue and Gray Press has released the last paperback volumes in the "Campaigns of the Civil War" series which they began republishing in May. Seventeen volumes compose the set.

Rand-McNally will soon publish Robert W. Howard's *This Is the South*. This volume is a part of Rand's regional history series. McKay recently released Fairfax Downey's *Clash of Cavalry*, a study of Federal horsemen with special emphasis on the action at Brandy Station. In July the Confederate Centennial Series added its twelfth monograph: *Yankees A'Coming: One Month's Experience during the Invasion of Liberty County, Georgia, 1864-1865*. This account of the war in crackerland, written by Mary Sharpe Jones and Mary Jones Mallard, was edited by Haskell Monroe. Forthcoming in this same series is Preston Moore's

editorship of *Friendship in Disaster: The Letters of A. Dudley Mann to Jefferson Davis*; William D. Hesseltine, *The Lincoln Plan of Reconstruction*; and A. J. and Kathryn Hanna, *Confederate Refugees in Venezuela*. The first English translation of Charles F. Girard's *Les Etats Confédérés D'Amérique Visités en 1863*, will be published early next year.

Several new works are in the making. Roman Zorn at Green Bay's University Extension is writing a study of Garrisonian abolition. Kansas City University's Philip Staudenraus is analyzing the American Colonization Society, while Larry Gara at Grove City College is doing a history of the Underground Railroad. *Reporting the War in Pictures* is the tentative title of a compilation by William F. Thompson at Wisconsin State College. Clement Sylvestro is finishing his study of the Union League in the Civil War and Reconstruction. At Oklahoma State College, Palmer Boeger is near completion of a needed history of the Union Commissary Department. And William B. Hesseltine and Hazel C. Wolf will soon have an interesting book on the market: *The Blue and the Gray on the Nile*. Another remote area will be brought to light with Sam Ross and Father Vincent Tedeger, *Lincoln and the Territories*.

McCowat-Mercer will shortly republish *The Diary of Bartlett Yancey Malone*, which was originally edited by William W. Pierson, Jr., for the James Sprunt Historical Studies in 1919. This is an extraordinary journal by a semi-literate infantryman in the Sixth North Carolina Regiment. Frank Byrne at Creighton University is finishing a work to be entitled *Neal Dow and Southern Prisons, 1861-1865*. Earl Conrad's *The Governor and His Lady*, a Putnam release, is a dual biography of Secretary of State William H. Seward and his invalid wife Frances. Manly Wade Wellman has completed *They Took Their Stand*, a series of portraits of the military and political leaders of the Confederacy. Columbia University Press is still enjoying good sales from Russell Weigley's *Quartermaster General of the Union Army: A Biography of M. C. Meigs*.

Next month Prentice-Hall will release Theodore Roscoe's *Web of Conspiracy*, the behind-the-scenes story of Lincoln's assassination. At the same time Dell will publish a three-volume, boxed and paperback edition of Carl Sandburg's monumental *Abraham Lincoln*. One of Crowell's October releases will be Irving Werstein's *Abraham Lincoln versus Jefferson Davis*, which should cause civilian armies to mass on both sides of the Mason-Dixon line. The second volume of Hudson Strode's *Jefferson Davis* will be issued this month by Harcourt Brace.

Scheduled for release next month by Lippincott is D. Alexander Brown's *The Bold Cavaliers*. This detailed account of Morgan's Second Kentucky Cavalry Raiders is by the author of *Grierson's Raid*, still available from the University of Illinois Press. Carl W. Breihan has

written a new account of guerilla warfare in the West, *Quantrill and His Civil War Guerillas*, which Allan Swallow in Denver released in mid-summer. Houghton Mifflin in the next few days will release George R. Stewart's *Pickett's Charge*, which many advance reviewers have heralded as one of the better accounts of that phase of the Gettysburg campaign.

Three new novels usher in the fall season. James D. Horan's *Seek Out and Destroy* is a Popular Library release. James A. Rhodes, established as an outstanding reporter with his *The Trial of Mary Todd Lincoln*, has written a novel based on the actual experiences of a nine-year-old drummer boy. The title is *Johnny Shiloh* and Bobbs-Merrill is the publisher. Jess Shelton's *Brood of Fury*, released by Chilton, is a novel set in war-torn Missouri.

In late fall Morrow will release a new two-volume biography of Stonewall Jackson by Lenoir Chambers, a Norfolk newspaper editor. Fawn Brodie's *Thaddeus Stevens* is slated for October by Norton. The same publisher will issue a boxed, three-volume edition of *The Diary of Gideon Welles* in November. Howard K. Beale has annotated this valuable work. Otto Eisenschiml has completed the editing of the 500 letters of General Edward Ripley. Devin-Adair will release the work in November under the title: *Vermont General: The Unusual War Experiences of Edward Hastings Ripley (1862-65)*.

Mark M. Boatner's long-awaited *Civil War Dictionary* will be out in November. McKay is the publisher. A financial history of the war, *The Story of Civil War Money*, has just been released by Sterling. Fred Reinfeld is the author. The University of Chicago Press has given the tentative title, *The American Civil War in European Military Thought*, to Jay Luvaas' new book, scheduled for October publication. This month Harlem Press released Wood and Edmonds, *Military History of the Civil War*. The Michigan Historical Collections has published a booklet by Ida C. Brown entitled *Michigan Men in the Civil War*. Largely bibliographical, it is of great help to anyone doing or contemplating a war study on any phase of that state. Interested parties may obtain copies by writing the society at Ann Arbor.

Although the following incident occurred sometime back, it is still fruitful enough to pass along to those who may not have heard of it. Some wit in a nationally known publisher's mailing department addressed one of that firm's current catalogues to "General Robert E. Lee, Appomattox, Virginia." The postmaster at the sleepy hamlet returned the brochure to the publisher with the terse notation: "Moved, left no address, April 9, 1865."

## Book Reviews

EDITED BY CHARLES T. MILLER

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Iowa City, Iowa

*The Official Atlas of the Civil War.* Introduction by Henry Steele Commager. (New York: Thomas Yoseloff. 1958. Dimensions: 17½" x 14½" x 2". Pp. 202, including 165 plates. \$40.00.)

SINCE TIME IMMEMORIAL armies have entered the field, more often than not, ignorant of the topography that lay before them. This was certainly the case in the Civil War, for both Northern and Southern forces. Although mapping had been carried on for several decades by the Topographical Engineers, the Geological Survey, and the Coast and Geodetic Survey, most of the efforts of these agencies had been directed to the western frontier, the national boundaries, and the coastlines. Few of the inland areas where battles were to be fought and vast movements of men and matériel accomplished had been surveyed or mapped in any but the most generalized fashion.

When the two armies finally realized the extent of their ignorance of the terrain, appropriate measures were taken to remedy the situation, but the resulting feverish activity could not entirely fill the gap. In few instances was the knowledge of terrain sufficiently accurate to permit detailed planning of movements or positioning of troops. All too often the intelligence required for these purposes had to be gathered on the spot by means of field reconnaissance. Thousands of maps and sketches were prepared in the course of this activity, many of which were later lost or destroyed through one mischance or another. After the war, when the *Official Records* were being organized for publication, the remnants of the mapping of both armies were gathered together into an *Atlas*, designed to accompany that report. The project required years to accomplish, and then, unfortunately, many of the copies of the completed *Atlas* were apparently lost, or at least failed to become a part of the 128-volume set of *Official Records* for which they had been intended. Needless to say, those copies that found their proper niche have become increasingly valuable in the years since "Out of Print" became a part of their title.

The present publication thus fills a long-standing need on the part of those many individuals and libraries who possess a set of the *Official Records* and yet cannot follow easily the movements referred to in those pages. Even those who have never dusted off the cover of a volume of the *Records* will find the *Atlas* very engaging, both as a source of information and as an example of the cartography of its day.

Interestingly enough, many of the areas covered in this *Atlas* remain unmapped to the present time. Only in recent years have we produced adequate medium-scale coverage of the Southeastern states, and broad gaps remain in our large-scale topographic coverage. So it would appear that in many instances the maps of the present *Atlas* are the only maps that enable an interested individual to trace movements or locate battlefield positions. Moreover, through the years place names have changed, towns have grown or have been deserted, and routes of transportation have been altered materially. To see the landscape as the participants of the Civil War saw it, maps of that vintage are indispensable.

This new edition of the *Official Atlas* was beset by numerous difficulties attendant to its publication. The original plates could not be located, nor could the original map copy, if it ever in fact existed in a usable form. Thus the publisher was left with photographic reproduction from one of the original copies as his only reasonable means of producing a new edition. The result is a compromise. The maps are indeed available for use as a result of this edition, but it would be stretching a point to say that they are available in all their original beauty, as the jacket description implies.

Comparison of the new edition with the original reveals several differences.

First, the beautiful coloration of the original edition had to be deleted for technical (and probably economic) reasons. Only the red and blue of the military position symbols have been retained. Hydrography, vegetation cover, and topography all merge in shades of gray and black in the present edition. The resulting loss of clarity, particularly as regards topography, may well be disturbing to many persons attempting to follow the action described in the *Official Records*. This is particularly the case where the technique used to show topographic differences was hachuring. No less than 30 plates of the 130-odd battlefield or strategic maps are affected adversely. This includes such scenes as the battlefields of Manassas Junction, Shiloh, Antietam, Fredericksburg, Vicksburg, Chancellorsville, Chickamauga, Spotsylvania Courthouse, Atlanta, Richmond, Cedar Run, and The Wilderness. Where contour lines were used for topographic representation the situation is usually much clearer and only the appearance of the map suffers from color deletion, not its usability.

Second, the present reproduction is inclined to be "fuzzy" and gray rather than sharp and black in its line work. In the case of the 25 plates of the General Topographic Map of the States this is actually an advantage. The blues of the original maps (stream pattern) reproduce as light grays whereas the road pattern remains a fairly sharp black, enabling a distinction to be drawn between these otherwise easily confused lines.

Third, the lithoprint reproductions of the photographs of various scenes,



some ten plates, reproduced rather poorly in the new edition, as though they were underexposed (this is in contrast to the general underdevelopment of the map plates, which appear too light).

Many readers will regard these technical problems as insignificant to their general enjoyment of the *Atlas*, and rightly so, for only in those instances of loss of topographic detail on battlefield maps has the usefulness of the *Atlas* been impaired. The modern trend is towards "pastel" effects in map reproduction, and many will find the new edition of the *Atlas* quite pleasing to the eye in this regard. Indeed, although the cartography is 70 years old or more, it compares favorably with much more modern output. On those maps where little topography or vegetation was shown, the positions of the two armies are somewhat clearer than in the original edition, despite a tendency for the red, particularly, to bleed in reproduction. A reading glass will prove indispensable to most users.

Other features of the *Atlas* include an extremely informative introduction by Henry Steele Commager, covering the history of the original publication. Lists of maps and authorities for the *Official Records* and for the *Atlas* maps are included. In addition to an index of the maps, sketches, views, and illustrations (largely of fortifications and weapons) included in the *Atlas* is a reference on each of the plates to the volume and page of the *Official Records* that it illustrates.

The present edition of the *Atlas* should open new vistas to those users of the *Official Records* whose understanding of the events portrayed was hindered by the lack of the appropriate maps. The publisher should be commended for making this material available in attractive and compact form.

NEIL E. SALISBURY

Iowa City, Iowa.

*The Photographic History of the Civil War*. Edited by Francis Trevelyan Miller. Reissued from the 1911 edition with an introduction by Henry Steele Commager. Ten volumes in five double formats. (New York: Thomas Yoseloff. 1957. Pp. I-II, 369, 353; III-IV, 353, 337; V-VI, 322, 322; VII-VIII, 352, 383; IX-X, 353, 358. \$40.00.)

THAT INTREPID PUBLISHER, THOMAS YOSELOFF, deals chiefly with "big" Civil War materials, and the reader who purchases the *Official Atlas* (see preceding review), plus the *Photographic History*, plus the four-volume *Battles and Leaders* (reviewed in *CWH*, June, 1958) must necessarily part with 110 hard-earned American dollars. Still, it should be said that the Civil War is an expensive hobby for centennial bibliophiles, and that these Yoseloff publications are more basic and more infinitely rewarding than dozens of lower-priced "trash" volumes which obviously exploit the sincerely-motivated but all-too-gullible public. Add ten dollars (equally hard-earned) for an illuminated magnifying-glass for your study of the *Atlas*, and your total investment should be well repaid.

These five double-volumes edited by Francis T. Miller are a tribute to the talent of the Civil War photographers, who had to combine the science of chemistry with ingenious workmanship. The Civil War photographer was obliged to carry his darkroom with him. He had to use wet plates, which were coated just before use. Coated with collodion, the plates were dipped into a silver bath and exposed while wet. In cold weather the coating process required from ten to fifteen minutes, in hot weather from three to five seconds. It was possible to take only one picture at a time, and the total time of development was two hours or more. To prepare his silver bath, he had to sun it for several days, then add water to a boiling silver bath and test the strength with a hydrometer for silver content. It was also necessary to sensitize the paper before printing. Needless to say, the entire process was long and tedious.

The techniques and materials used in those days were slower and of poorer quality than those of today. It is quite proper, therefore, to observe that the pictures represented in the *Photographic History* are of a very remarkable quality when one considers the equipment and conditions available to the Civil War photographer. It should be noted that: (1) emulsion was color-blind; (2) lenses were slower and *not* anastigmatics; (3) there were no telephoto lenses; (4) the photographer had to provide and transport his darkroom, and under combat conditions this necessity often negated his endeavors; (5) he had no temperature control; (6) he dealt always with a long-exposure problems; (7) he had no flash-bulbs or color film; and (8) he lacked our present, highly developed knowledge of chemistry.

In view of these limitations, and in view of our advanced knowledge not only of chemistry but also of history and of all human relationships, past and present, the present-day reader should welcome the *Photographic History* as an inexhaustible source-book for military, economic, social, philosophical, and literary cogitations. Obviously, the pictures lack the dynamics of twentieth-century photography. As William R. Keats stated (*CWH*, March, 1956) with regard to another photographic history:

The pictures have the inescapable defect of all time-exposures—they are static. The best pictures are portraits of soldiers, shots of serene battlefields empty of men, and pictures of these battlefields with men in the motionless attitudes of death. Too much of the war seems posed, and although we know the technical reasons for this, we miss the motion and commotion of battle.

The static conditions of Civil War photography are shown not only in depictions of "serene battlefields" with or without corpses, but also in the living portraits, often utilizing headrests to immobilize the subjects. Even so, some "dynamic" attitudes are revealed. Combatants of all ranks, including those military "stylists" Beauregard and McClellan, gave not one whoop in hell as to their personal appearance when engaged with the enemy, and thus offended the genteel predilections of British observers and other foreign correspondents, who learned painfully that warfare had radically changed since the Dukes of Marlborough and Wellington directed it. Lee's sartorial fastidi-

ousness was an exception, but Grant's sloppiness was fully appreciated by the Army of the Potomac.

Despite the lack of "action" (i.e., combat) pictures—a lack abundantly, perhaps too abundantly, compensated in photographic records of 1914-18 and 1939-45—the pictorial "coverage" of the Civil War is an admirable achievement. For the sense of movements of troops and the "smell of battle," one must still go to the unforgettable etchings by the many battlefield artists (for which sketches *Harper's Weekly* is the best source), but the photographers, North and South, did their share and more in contributing to the total record. Their portrayal of the camplife of the soldiers is in itself a vital document in the history of American civilization. More importantly, they were the first to present a battlefield view of any war, and they had to edit each viewpoint carefully before taking the picture. The modern news photographer shoots volumes of film and later edits the results. The Civil War photographer worked with no such amenities.

JAMES A. KENT

Iowa City, Iowa.

*Eight Hours Before Richmond.* By Virgil Carrington Jones. (New York: Henry Holt and Company, 1957. Pp. x, 180. \$3.75.)

FOR GENERAL READERS AND SCHOLARS ALIKE, cavalry raids have always had a special fascination. It is no mere accident that within the last few years we have had fresh accounts of Mosby, Grierson, Stuart, and a host of others. In *Eight Hours Before Richmond*, Virgil Carrington Jones, whose capable books, *Ranger Mosby* and *Gray Ghosts and Rebel Raiders*, have pioneered in this field before, has given us a new and thrilling account of Kilpatrick's raid to liberate the Union prisoners at Richmond.

General Judson Kilpatrick was only twenty-eight when he conceived of a dashing coup to end the miseries of the captives at Belle Isle and Libby prisons. The inactivity of the opposing forces in northern Virginia was becoming tedious in the late winter of 1864; Richmond was within striking distance, and east of the rebel capital, help might be procured from General Butler's Army of the James. All that seemed necessary was dash, a will, and proper execution. The dash and the will were there, but, in the execution, much was left to be desired. To be sure, the raiders managed to reach the outskirts of Richmond, but then everything went wrong. Kilpatrick, unnerved by a series of reverses and bad weather, lost contact with his most prominent subordinate, Colonel Ulric Dahlgren; Dahlgren himself was ambushed and killed, and the raid fizzled out when Kilpatrick and the remnants of his command appeared within Butler's lines.

All this, as pointed out in the well-written introduction by Colonel Robert Selph Henry, is told with verve and great skill. Mr. Jones, a Virginian and chronicler of Confederate heroes, is as capable of telling a good yarn about the boys in blue as he is about those in gray. He attributes the failure of the

raid to Kilpatrick's indecisive character and the Yankees' incomplete knowledge of the situation—factors well illustrated by judicious use of printed and manuscript sources. Why no mention is made of the lack of co-ordination between the various Union headquarters is not clear, since Mr. Jones himself shows how this defect constantly hampered the execution of operations as planned. All in all, however, it is a story well presented and eminently readable.

The most controversial and most fascinating part of the little book concerns the documents found on Dahlgren's body. For almost a century, governments and historians have feuded over the question of whether the twenty-two year old Dahlgren, who had lost a leg fighting for his country at Gettysburg, and on this raid was to give his life as well, was a shining hero or a murderous assassin as charged by the Confederates. After his death, papers were found on his body which indicated that he had been on a mission not merely to release the prisoners in Richmond, but also to burn the city and kill President Davis and his Cabinet "on the spot." The outraged Confederate authorities accepted these documents as genuine evidence of the brutal character of their foes, while Dahlgren's superiors and supporters in the North maintained then and have continued to maintain that the incriminating sentences in question were forgeries, planted on the body to dishonor the remains of a brave soldier—the son of Rear Admiral John A. Dahlgren.

Mr. Jones has carefully examined all the available evidence concerning the disputed documents. These consisted of a memorandum book with details of the raid, a set of instructions to one of Dahlgren's subordinates with an itinerary, and an address to the troops in which Dahlgren's name was misspelled. All the original papers have disappeared, so that Mr. Jones was forced to rely upon the barely legible photographic copies at the National Archives. On the basis of all the evidence at hand, he feels very strongly that the documents were genuine. He dismisses the question of the misspelled name on the grounds that a man of Dahlgren's importance probably had an amanuensis, although he cites Jefferson Davis' wife as a witness that the handwriting in the Colonel's memorandum book and that in the orders was the same. To Jones, the memorandum book and the separate instructions seem more important than the address to the command, and since all three documents contain the reference to the assassination of the Confederate Cabinet, he accepts them as real.

That the author's reasoning concerning the disputed papers will convince everybody is doubtful. It would seem almost impossible to state with any degree of certainty whether a set of documents which is no longer available was genuine or not; nor can the testimony of so interested a witness as Varina Howell Davis be accepted at face value. The possibility exists that the incriminating sentences were inserted spuriously, not by the thirteen-year-old boy who found the papers, but by somebody else, because the Confederates were anxious to discredit their enemies. Moreover, even if the documents were genuine, their contents were unknown to the Colonel's men, and whether young Dahlgren, a chivalrous officer by all accounts, would really have carried out the fancies of a youthful imagination can never be established with

any degree of accuracy. The Colonel was an ardent patriot to whom Davis and his Cabinet were arch-traitors. Therefore he may merely have given vent to the oft-repeated popular boast to hang the Southern President to a sour apple tree without really meaning anything by it. In this lies the chief weakness of Mr. Jones' account: His own portrayal of Dahlgren is so favorable that the criminal intent attributed to the young leader simply does not ring true.

Of course, all these are matters of honest differences of opinion. None of this criticism can detract from what remains a spellbinding and absorbing contribution to the lore of the Civil War.

HANS L. TREFOUSSE

Brooklyn, New York.

*The Outer Banks of North Carolina.* By David Stick. (Chapel Hill: University of North Carolina Press. 1958. Pp. xiii, 352. \$6.00.)

IN THIS EXCELLENT VOLUME David Stick has given us the history of the string of islands which stretch for 175 miles along the east coast of North Carolina. The story begins with the early attempts of the English to establish a colony on Roanoke Island, under the leadership of Sir Walter Raleigh in the 1580's, and ends with a description of this modern resort and recreational area as it is today. One feels that the author has enjoyed the ten years of research which he has given to the collection and organization of materials for this volume. His notes meticulously comprise "chapter by chapter in narrative form, the sources which have proven most productive in preparing this book." Mr. Stick shows rare ability in piecing together seemingly unrelated historical facts, placing each in its proper setting and giving us a highly readable story. He has also added a comprehensive index and several excellent maps which provide invaluable aids for the student of North Carolina history.

The reader will find a wealth of material on the Outer Banks operations during the Civil War, and all such discussions are scrupulously annotated. Following detailed accounts of the early battles of the war, Mr. Stick summarizes his more local reference as follows:

For all practical purposes, however, the capture of Hatteras Inlet, Roanoke Island, and Fort Macon had brought an end to organized Confederate resistance on the Banks and in the Sounds. It had done more than that, even, for with Federal forces in firm command of these inlets and sounds, they had effectively blocked off the basic maritime supply route to the rest of northeastern Carolina and had tightly shut the back door to Norfolk and Chesapeake Bay.

The occupation of the Outer Banks area by Federal troops presented few problems, owing to the predominant sympathies of the Outer Bankers for the Union cause.

As soon as the battle of Hatteras Inlet was over and the forts secured by Federal troops, residents of nearby communities appeared, expressed

their happiness at the results, and offered to take the oath of allegiance to the United States. . . . Whether the Union sentiment . . . was of the genuine, inbred type or simply an expedient to make the best of changing conditions, the fact is that many of the Bankers did side with the North.

Regarding the postwar period, the author states:

As in other wars which have come to the Banks, the area soon made the return to normalcy. Because there had been proportionately little slave ownership on the Banks before the war, the Outer Bankers had comparatively little difficulty in adjusting to the new order. Some of the former slaves remained in the area, and like the free colored people who had lived there for many years, they soon were living side by side with the white people, . . . accepted as members of the Banks community, not quite on an equal plane, but so close to it that it took a keen observer to tell the difference.

The author's survey of the Outer Banks concludes with a capsule history of each community, and with further attention to special points of interest. Far from the guns of the Civil War but not without their lingering echoes, the last chapter ("The Banks Today") offers an excellent guide to present-day visitors who are responsively aware of the historic past of this region.

RUBY C. GLOCKLER

Durham, North Carolina.

*Lincoln Takes Command.* By John S. Tilley. (Chapel Hill: University of North Carolina Press. 1941. Pp. xxxvii, 334. \$5.00.)

THAT THE VICTORS WRITE A WAR'S HISTORY is axiomatic. For many years the American Civil War was no exception to the general rule. But for the past several decades the vanquished have had their spokesmen—eloquent and persuasive spokesmen. In the American Civil War there is no argument over who fired the first shot, but the debate is endless over the question of whether those who fired the first shot were forced into the firing by aggressive Northern action.

Looking toward the upcoming Civil War centennial, the University of North Carolina Press has reissued John S. Tilley's *Lincoln Takes Command*, originally published in 1941. Pointing out that "these many years the South has stood before the bar under indictment for recklessly firing on the flag," Mr. Tilley asserts that "there is reason to question the justice of this widely held belief. A mass of evidence seems to point in a different direction. . . . the time is ripe for a reexamination of this material and the acceptance of a more sound and just understanding." The author's purpose, then, is to scrutinize the evidence bearing upon the events and "circumstances immediately preceding the secession of South Carolina and leading to the outbreak at Sumter."

The volume focuses its attention on the tense winter of 1860-61—roughly from Lincoln's election in November to the explosion in Charleston harbor the



following April. The first one-third of the work deals with the developments at or relating to Fort Pickens and Pensacola; the latter two-thirds concentrates on Charleston, Fort Sumter, and Lincoln's handling of this touchy problem.

The author assembles an impressive array of evidence covering the crucial period, which he examines in a fashion well becoming the attorney that he is. He makes much of the Buchanan administration's desire to avoid a clash and its promises and pledges not to reinforce Forts Sumter and Pickens in return for a Southern pledge not to attack. These pledges, it is suggested, were tacitly accepted by and therefore binding upon the Lincoln administration. Much emphasis is given to Major Robert Anderson's supplies, as Tilley maintains that Anderson's men continued to receive at least some supplies from Charleston itself as late as early April, 1861, and that Charleston cut these off only after learning that Lincoln was ordering a relief expedition to Sumter.

Ward Lamon's expedition to Charleston and Seward's discussions with Justice John A. Campbell, interceding for the Confederate commissioners in March, 1861, are closely examined. Both yield evidence to the effect that Southern leaders were being informed that Sumter was to be evacuated. The conclusion is drawn that President Lincoln, in not going through with the evacuation of Sumter, was guilty not only of bad faith but deliberately "maneuvered" the South into firing the first shot. Thus, Lincoln, in ordering the Sumter relief expedition, as proposed by Gustavus V. Fox, while pretending it to be a purely peaceful supply mission, was guilty of aggressive action on two counts, according to Tilley: one, that the sending of supplies was unnecessary, and two, that warships and soldiers were ordered to accompany the expedition.

Even conceding the whole argument, one finds difficulty in seeing that the South would have morally or strategically been in a weaker position had the relief expedition been allowed to reach Sumter without opposition. If provisions alone had been landed, the situation in Charleston harbor would have been unchanged. If munitions and troops, as well as supplies, had been thrown into Sumter, the Confederacy could then have proclaimed the aggressive nature of Lincoln's action, while strategically Charleston's defense would not have been materially weakened.

But not conceding the argument, why should Lincoln have been bound by any pledges made by his predecessor, or, for that matter, by his secretary of state, who had no authority to make any promises to the South? Why should he have been bound to deal with a government he refused to recognize as legitimate or with state authorities who refused to recognize Lincoln as president of all the United States? Why should he have been bound to yield, as the book seems to imply, federal property to a group of men, whom he not only did not recognize as having any legitimate authority but whom he specifically viewed as defiant of federal authority, which he was pledged by his oath of office to uphold?

Mr. Tilley takes little note of the evidence that Lincoln wanted to make the assertion of federal authority at Fort Pickens in March, as Seward clearly did.

But when plans for reinforcement of Pickens went awry, he turned to Sumter. If one makes the assumption that Lincoln wanted the South to fire first, then Lincoln's notice to Governor Pickens can be construed as a threat that force would be used if supplying Sumter with provisions were resisted. But one can just as well assume that Lincoln wanted peace, in which case his notice to the Governor carried a promise that force would not be used if landing provisions raised no opposition. As Professor James G. Randall has astutely observed: "To say that Lincoln meant that the first shot would be fired by the other side *if a first shot was fired*, is by no means the equivalent of saying that he deliberately maneuvered to have the shot fired." Finally, a failure by Lincoln to make a stand at either Pickens or Sumter or both was to concede the very point at issue—that secession by a state from a perpetual Union was not legitimate.

DAVID LINDSEY

Los Angeles, California.

*The Last Days of Lincoln: A Play in Six Scenes.* By Mark Van Doren. (New York: Hill and Wang, 1959. Pp. 152. \$3.75.)

THE AIM OF THIS PLAY is to present a series of events that occurred during the last weeks of Lincoln's life. We begin in a room at William Petersen's house, in the early hours of April 15, 1865. Then, through a series of flashbacks, the focus shifts to other places and other incidents: to a White House office, where Lincoln confers with Senator Wade; to the meeting between Lincoln and Grant at City Point; to Lincoln's visit to Richmond shortly after its fall; and to the White House again, on the day following Lee's surrender. Finally, the play comes full circle, returning us to the death room and to circumstances that take place directly before and after the death itself.

Within this sequence, Mark Van Doren has sought to re-define the personality of Lincoln, and to portray him as a fully tragic hero. He is at once the figure who dominates every action, yet is himself dominated by a tragic destiny that pursues without remorse. To some extent, this tragedy is personal, so that the President's struggle for self-mastery and his difficult relations with Mrs. Lincoln are touched upon. In the main, however, the issue derives from Lincoln's determination to impose a humane and generous peace upon the ruined South. The antipathetical terms of the play are Lincoln's temperateness, magnanimity, and compassion on the one hand, and on the other the fury, vengeance, and hatred which are qualities shared alike by his Southern enemies and his detractors in the North. Through the movement from scene to scene, Lincoln is ranged, in turn, against Radical senators, the military (particularly Admiral Porter), Southern rebels, and intransigent members of his own Cabinet. Out of these conflicts he emerges as the just man in an age of bitterness; he speaks with the voice of reason, amidst a babble of other voices that can utter only spite and fanaticism.

Naturally, neither the details of the play nor the interpretation of them is especially new. But it is as poet, rather than historian, that Mr. Van Doren

approaches the material. And with the same combination of craft and sensitivity that has always marked his poetry, he manages to breathe both warmth and substance into each of the personages whom he re-creates.

Perhaps his most interesting technique lies in differentiating between Lincoln and the others not only on the basis of *what* they say, but also in terms of their *manner* of address. From first to last, Lincoln is made to speak a loose, highly colloquial prose, while the speeches of the other characters are delivered in stiff and rigidly controlled blank verse. The effect is quite remarkable. Crabbed and inflexible, the blank verse is ideally suited to Lincoln's antagonists: it catches perfectly the pomposities of an Admiral Porter, the implacability of Ben Wade, the cold, stubborn anger of Secretary Stanton. By contrast, the prose of Lincoln is relaxed and supple enough to run from the easy witticism to moments of lyrical passion and intense suffering. Seeking to distinguish the broad man from narrow men, Mr. Van Doren has, as is proper, let subtle differences in language bear much of the burden of characterization.

Another notable feature is his use of a few unobtrusive images to reinforce the basic themes and conflicts of the play. Thus in the second scene Lincoln's conception of the South as a damaged and yet still fertile root is played off against the Radicals' wish to "tear up living trees and men and cities by the root, where all life is, and the future leaves." In the third scene, this same difference in viewpoint is re-stated through animal imagery; and in scene four, Duff Green's use of fire as the symbol of hate and malice is juxtaposed with Lincoln's references to the hearth fire—fire as the image of warmth, humanity, and conviviality. Employed sparingly, these images draw attention to themselves, sharpening and rendering more concrete the antagonisms around which the play has been constructed.

All in all, then, *The Last Days of Lincoln* is an impressive drama. Occasionally, perhaps, the use of Lincoln lore is a bit too studied: the allusion to Ann Rutledge in the sixth scene does, for example, appear to have been rather dragged in. But such minor flaws do not detract from the skill of Mr. Van Doren's poetry, or from the atmosphere of intense conflict which he consistently maintains. On the printed page the play is a moving experience. One fancies that it would seem even more poignant in the theater.

CLARK GRIFFITH

Iowa City, Iowa.

*Constitutional Problems Under Lincoln.* By J. G. Randall. Revised edition. (Urbana: University of Illinois Press. 1951. Pp. xxxiii, 596. \$4.50.)

OF THE HUNDRED OR SO BASIC BOOKS which are recommended for anyone about to make a study of Abraham Lincoln's life, this volume must certainly loom largely and significantly. First published in 1926, revised in 1951, it has unquestionably taken an important place among the standard works without which no full appraisal of Lincoln as President is possible.

The late James G. Randall left a monumental study of Lincoln in his *Lincoln the President* with this volume, while not a part of the set, certainly representing a cornerstone of his exhaustive researches and studies. In his introduction he surveys the Lincoln Administration, contrasting it and its time with later periods of crisis. After noting the errors made during the Civil War years, he thought that one should also "remember Lincoln's spokesman-ship for democracy, his craftsmanship in the human art of government, his manner of meeting and answering criticism instead of eliminating dissenters, his steps toward the elevation of the Negro race, his avoidance of dictatorial excess, his development of new governmental resources, his support of welfare measures, his sense of balance, self control, skill of management, breadth of outlook, and concentration on the main issue." Professor Randall then sagely added that though "not everyone can wear Lincoln's hat, nor should others try it . . . no leader could fail to profit by a study of his spirit, his principles, and his method."

The prodigious task that awaited Abraham Lincoln following his inauguration in 1861 was that of resolving the very real threat to the Union itself. As a man who had spent much of his professional life studying the Constitution, thereby acquiring a deep reverence for that instrument of democratic government, he strove mightily to work out a possible solution within its framework. Disloyalty was to be found almost everywhere, and men set themselves up to the profitable or perverse task of opposing every measure the Federal government established. Civil justice failed to function. Unwilling to see all lost, Lincoln *acted*, explaining later that he did so only to further the cause of the Union.

In the complex of a nation in wartime, inequalities were bound to arise, but no impartial student of Lincoln's time can conclude that he wilfully circumvented any individual's rights and freedoms guaranteed under the Constitution. With those who would do their best to undermine the Union, Lincoln was more than patient. His genius for seeing each problem in its essence revealed itself in countless ways. A sterling example of how he handled some is well illustrated by his comments on the oath of loyalty. "On principle," he said, "I dislike an oath which requires a man to swear he has not done wrong. It rejects the Christian principle of forgiveness on terms of repentance. I think it is enough if the man does no wrong hereafter."

In the case of the notorious Ohio Congressman Clement Vallandigham, Lincoln not only avoided any suppressive measures, but deplored the arrest of the man, set aside the sentence of imprisonment, and sent him over the Confederate lines in exile. When the man later reappeared in the North, Lincoln ignored him. While Lincoln could be firm when firmness was needed, he saw that Vallandigham was doing an excellent job of discrediting no one but himself. In other instances, Lincoln could be inflexible in his determination to see the Union restored. In a letter to Erastus Corning and others, written on June 12, 1863, Lincoln revealed that only great provocation and threat prompted the actions he did take. "Must I shoot a simple-minded soldier boy who deserts, while I must not touch a hair of a wily agitator who induces him to desert?" he asked. And in concluding his long answer to the

resolution of criticism he said, "Still, I must continue to do so much as may seem to be required by the public safety."

"The public safety," or perhaps the Union's safety, was the gauge by which Lincoln measured all governmental action. In the twenty chapters which comprise James Randall's fine book, that is the impression which comes through again and again. Such chapters as "Military Rule and Arbitrary Arrests," "The Policy of Confiscation," "Steps Toward Emancipation," "The Partition of Virginia," and "The Relation of the Government to the Press" pointedly highlight both the variety of problems Lincoln faced and his solutions.

Unquestionably *Constitutional Problems Under Lincoln* is one of the indispensable books in any well-rounded Lincoln library. It is also James Randall's scholarly tribute to the sixteenth President's devotion to the American Constitution and the Union which gave it life.

ARNOLD GATES

Garden City, New York.

*Mr. Davis's Richmond.* By Stanley Kimmel. (New York: Coward-McCann. 1958. Pp. 214. \$7.50.)

SINCE NO ONE WRITING ON THE CIVIL WAR TODAY can have lived in the period, it cannot be said that a first-hand knowledge is necessary for convincing work. However, any work is convincing in proportion to the writer's immersion in a specific time and place. Willa Cather once said that what is left off the page is more important than what is written, and this statement applies perhaps more to history than to fiction.

To achieve this suggestiveness, the writer of history must have been immersed in the life of his re-creation to the extent where he draws upon a background in selecting the details which illustrate and dramatize the intangible qualities that truly characterize his segment of the past. This process applies equally to a battle, a campaign, or a city under wartime conditions. Applied specifically to Richmond, the capital of the Confederacy, it seems clear that any other approach would miss the essential intangible, without which everything is missed.

Mr. Kimmel has demonstrated the shortcomings inherent in a method that works from the outside. His demonstration is "graphic" in that the book leans heavily on pictures—photographs, drawings, and especially cartoons. As for the latter, despite their occasional veracity, it is not likely that future historians could form an accurate picture of Washington, D.C., from Russian cartoonists of 1959; nor would the Richmond, Charleston, and Montgomery newspapers, via their cartoons of 1861 to 1865, aid a historian in formulating a true impression of Abraham Lincoln. To learn from this volume what Northerners thought of the Confederacy as epitomized in Richmond is merely to emphasize the distortions inevitable in a technique that does not work from the heart outward.

Other distortions are formed by the author's selections from local news-

papers. In all eras, crimes are front-page stories and the police-blotters are duly recorded; yet, a community's life cannot be evoked or adequately formulated by a re-enactment of its night court. Most people live and die without serious involvement with the law, and wartime Richmond was no exception. Eight crimes in one night do not represent a city of 80,000 inhabitants who spent some fifteen hundred nights under wartime exigencies, with predominantly peaceful procedures in their daily lives. The many distortions of emphasis in this work add up to a fallacious report, and Mr. Kimmel cannot be commended for the total product.

In all fairness, it must be said that some of the inaccuracies cannot be excused by any scholarly method. The author's emphasis on runaway slaves—again revealing a lack of proportion and perspective—should have been corrected by even a partial acquaintance with historical methodology. He should know, as any respectable historian knows, that a newspaper file of Richmond, Chicago, Detroit, New York, or Berlin, in or out of times of war, is not in itself a conclusively reliable historical document. The resulting inaccuracies represent only sloppy work.

If nothing else, and there is nothing else, Mr. Kimmel's book is a salutary example, in the current stampede toward publications on the Civil War, of the failure—for publisher as well as writer—attendant upon superficial work done for today's market. The Civil War book public is not easily befooled or befuddled; it has a knowledge of its subject exceeding that of any book-buying market in the world's history. Although this knowledge forms an automatic brake on the profits sought by opportunists, obviously the need is for some method of separating the volunteers from the bounty-hunters.

CLIFFORD DOWDEY

Richmond, Virginia.

*Chancellorsville: Lee's Greatest Battle.* By Edward J. Stackpole. (Harrisburg, Pennsylvania: The Stackpole Company. 1958. Pp. 384. \$5.75.)

THIS IS THE THIRD IN A SERIES of Civil War campaign and battle studies by Lieutenant General Edward J. Stackpole, retired veteran of the two world wars. In 1956 he published *They Met at Gettysburg*; in 1957 *Drama on the Rappahannock: The Fredericksburg Campaign*; and in 1958 the work now under review.

Stackpole is a leading proponent of the recent trend toward the book-length rehearsing of individual Civil War campaigns and battles. But this pattern is not new, for it is actually a revival of a fashion prevalent at the close of the last century and the beginning of this, when military men, often veterans of the 1861-65 conflict, produced similar volumes. An example was the publication in 1910 of *The Campaign of Chancellorsville* by Major John Bigelow, Jr., a huge, ponderous book that involved a staggering amount of research in printed memoirs, regimental histories, and contemporary accounts of the war years.

Public disregard for battle studies soon set in and reached its nadir during



the twenties and thirties, an attitude much a part of the pessimistic reaction toward the results and idealism of the first world war. Historians Charles and Mary Beard went so far during the twenties as to call fighting relatively unimportant and to suggest that nature, in quickly covering the fields of combat with grass, must have regarded it likewise. Once again the impact of our day—a period of continuing cold war, with the military influence necessarily strong—is upon us, and so battle history is again stylish. Perhaps Hollywood and television have likewise contributed to the popularity of combat studies, not to mention increased amounts of leisure time and money to visit the innumerable national and state park battlefields that dot the nation.

Like most of the Civil War military studies now appearing, Stackpole's *Chancellorsville* contributes little that is new in fact or interpretation. This is not the author's purpose. As in his two previous volumes, he sets out to produce an uncluttered panorama of the strategy, tactics, events, and major participants of the campaign and battle. He does not attempt a basic research book. He assembles what he considers the primary facts, puts them to some degree of analysis, and places the resulting historical narrative in a time-and-space perspective. Again the writing is lucid, the evaluations and descriptions are uninvolved, the personality sketches fascinating, and the writing is readable throughout the book. Now that interest in Civil War campaigns and battles is once more running high, this volume fills the need of that host of arm-chair enthusiasts intent on charging back and forth with the Blue and the Gray.

With Lee on the defensive below the Rappahannock, following the Confederate victory at Fredericksburg, Hooker decided to cross the river to attack with 130,000 men facing Lee's 60,000. Notwithstanding the prospect of imminent blows from this overwhelming enemy host, the audacious Confederate commander split his forces, sending Jackson through the Wilderness to hammer the Union right, while he pushed back the enemy's center and left. Jackson's success was brilliant and would have prevailed completely had not Howard's vigorous resistance while falling back prevented an unmitigated Union catastrophe. In the melee that followed, Jackson was mistaken for a Federal and was shot by his own men. When Hooker, brazenly blaming his subordinates for the failure, pulled his battered but still powerful Army of the Potomac back across the Rappahannock, Lee held the field.

Stackpole finds nothing to admire in Hooker. He is described as greatly overrated, an officer unfit for the command of an army. He is accused of throwing away opportunities, losing his nerve at decisive moments, not taking regular inspection tours, being entirely too complacent, and of giving no orders during the entire battle. Psychologically the man broke down, we are told, to the extent of lacking moral courage. Even the congratulatory message to his troops following the engagement, believes Stackpole, rings empty compared with Lee's. It was Hooker, the indictment continues, who alone was to blame for the Chancellorsville defeat. And it was the commander rather than "the finest army on the planet" that was worsted on that field of combat.

To achieve this complete unhorsing of Hooker, Lee and Jackson are portrayed as incomparable commanders, altogether brilliant in their actions at

Chancellorsville. Jackson's conditional achievement is viewed as unqualified, and Lee is considered capable to the point where he "could afford to violate fundamental military principles at frequent intervals during the campaign . . . because of the marked deficiency of his opponent" (p. 369). Perhaps Stackpole exaggerates. In any case, he throws objectivity concerning Hooker to the winds to further immortalize Lee and Jackson.

Another characteristic of this volume is no high degree of thoroughness. Particularly is this true of the character sketches of both primary and secondary participants. Although a variety of materials other than manuscripts and newspapers was drawn upon, the narrative seems hastily written and at times shallow in interpretation. Snap judgments, often brilliant on the surface, could have been avoided with a little more study and presentation of evidence.

The maps, pictures, and drawings are unusually helpful, attractive, and well selected. The easy-to-read print and handsome page format, in addition to the book's other commendable features, make for pleasant hours despite the mild frustrations.

LEROY H. FISCHER

Stillwater, Oklahoma.

## Books Received

- Bean, W. G. *Stonewall's Man: Sandie Pendleton*. (Chapel Hill: The University of North Carolina Press. 1959. Pp. viii, 252. \$5.00.)
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- Wellman, Manly Wade. *They Took Their Stand*. (New York: G. P. Putnam's Sons. 1959. Pp. 258. \$4.50.)

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